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Three Months of the League of Nations

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The corporation is constituted for the purpose of educating the people of all nations to a full knowledge of the waste and destructiveness of war, its evil effects on present social conditions and on the well-being of future generations, and to promote international justice and the brotherhood of man; and, generally, by every practical means to promote peace and good will among all mankind.—*By-laws of the Corporation.*

It is to this patient and thorough work of education, through the school, the college, the church, the press, the pamphlet and the book, that the World Peace Foundation addresses itself.—Edwin Ginn.

The idea of force can not at once be eradicated. It is useless to believe that the nations can be persuaded to disband their present armies and dismantle their present navies, trusting in each other or in the Hague Tribunal to settle any possible differences between them, unless, first, some substitute for the existing forces is provided and demonstrated by experience to be adequate to protect the rights, dignity and territory of the respective nations. My own belief is that the idea which underlies the movement for the Hague Court can be developed so that the nations can be persuaded each to contribute a small percentage of their military forces at sea and on land to form an *International Guard or Police Force.*—Edwin Ginn.

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THREE MONTHS OF THE LEAGUE OF NATIONS

INTRODUCTION

“January 16, 1920, will go down to history as the date of the birth of the new world,” said Léon Bourgeois, chairman of the Council of the League of Nations at its opening.

Edwin L. James in a copyrighted dispatch to the *New York Times* from Paris on that day said:

“The League of Nations is a reality. Modestly and democratically, it began to function this morning at 10.30 o'clock, when the Council opened its first meeting in the clock room of the French Foreign Ministry.

“Nine men gathered about a green covered table in one end of the salon of crimson and gold and put in motion the machinery of the most ambitious experiment in government man has ever essayed, while a hundred or more diplomats from the four corners of the earth looked on. The nine men gathered about the table started a work which may influence the lives of untold millions of humans for centuries to come.

“The sunlight, which Heaven sent to bless the day, shone full through the windows overlooking the Seine, and the sunlight threw a shadow across the green-covered table—the shadow of the empty chair. All who were there saw the shadow, remarked that the chair was empty and regretted it, and all agreed to keep the chair waiting until America should come to fill it.

“The shadow of the empty chair grew bolder in outline when Léon Bourgeois in his speech as presiding officer said:

“To-day, Gentlemen, we are holding the first meeting of the Council, convened by the President of the United States. The task of presiding at this meeting and of inaugurating this great international institution, which opens so wide a field of hope for humanity, should have fallen to President Wilson. We respect the reasons which still delay the final decisions of our friends in Washington, but we may all express the hope that these last difficulties will soon be overcome, and that a representative of the great American Republic will occupy the place which

awaits him among us. The work of the Council will then assume that definite character and that particular force which should be associated with it."

"Lord Curzon, speaking for the British Empire, concluded his address with an appeal for American participation in the League:

"While I am in entire agreement with all that M. Bourgeois has said, I should wish especially to express my full concurrence in his observations as regards the United States of America. The decision must be her own, but if and when the United States elects to take her place in the new Council Chamber of the Nations, the place is vacant for her and the warmest welcome will be hers."

Similar sentiments were eloquently voiced by the representatives of Italy and Brazil.

Two months later, the presiding officer at the Council's meeting was again M. Bourgeois, one of the most commanding figures in international life to-day, whose scholarly attainments are combined in rare measure with the practical sagacity of statesmanship and with a singular sanity of idealism. Basing his remarks upon the initial achievements of the League, he spoke on this occasion with great enthusiasm and confidence, answering critics of the League with a record of work already accomplished. At that time he said:

"The adversaries of the League of Nations are far from being disarmed. Skepticism regarding the international organization of law and peace has been regarded as the sign of an intellectual superiority. How often it has been said that prudent spirits, conscious of political realities and with knowledge of the facts and the laws of history, could not pay attention to the dreams of chimerical minds, dupes or accomplices of those who deny the idea of country. Further, indeed, that the Covenant of June 28 would remain a dead letter, and the League of Nations would not even be established.

"And yet the League of Nations is to-day a living thing. It has affirmed its existence, not by speeches but by acts. It has methodically and resolutely taken up the double duty which we have many times defined: The immediate task of collaborating in execution of the Treaty of Peace, and the future task of the creation of organisms in which international life will be manifested and strengthened in justice and in peace."

M. Bourgeois reviewed the work already accomplished by the Council and referred to the fact that the 13 neutral states had adhered as members of the League:

"Is this not the most eloquent and decisive of referenda? And does this not permit us to regard without emotion the press campaigns, and the alleged interviews,—formally denied by those to whom it is sought to attribute them,—and also all these maneuvers of individuals, in which the evident prejudices of internal policy surely hold a larger place than concern for the common welfare of nations?"

"We are greatly honored by and keenly aware of the marks of appreciation which the Governments have successively given us. Ours are formidable tasks, which we will assume courageously. We do not, however, wish to exaggerate, but rather to adjust the burdens in proportion to the still incomplete strength of a young organism which has not yet attained its growth.

"Be that as it may, we note these facts with a favorable eye: When Governments regard problems as offering exceptional difficulties and as not susceptible of rapid solution, they intrust the study of them to us, and ask us for a solution of them."¹

When the League was three months old, this same competent and reliable witness felt justified in expressing his assurance as to the secure position already attained by the League in world affairs in the following confident terms:

"The usefulness of the League has now been definitely established, and it is no longer a theoretical organization or a 'splendid Utopia,' as it has been called by some people. The work of its Council is already sufficient proof that the League is a practical body. The Governments and peoples who want a difference settled or wish to make a complaint have already been coming to the Council, with the certainty that they are appealing to a powerful and moral authority which will be capable of having its decisions respected. All the delegates are inspired with deep feelings of humanity and strict justice. Enormous progress has been made in the direction of world peace. People believe in the League of Nations, and to provide it with the necessary means of action is all that now remains to be accomplished. This is really a question of good-will and common understanding."

¹*Le Temps*, March 15, 1920, page 2.

LEAGUE OF NATIONS

I. TREATY OF VERSAILLES COMES INTO FORCE

The Treaty of Peace with Germany, the first of the documents which together constitute the settlement of the World War, was signed at Versailles, June 28, 1919. Part I of that treaty as well as Part I of the Treaty of Peace with Austria,¹ signed at St.-Germain-en-Laye, September 10, 1919, that with Bulgaria,² signed at Neuilly-sur-Seine, November 27, 1919, and those with Hungary and the Ottoman Empire, which are still to be signed, is the Covenant of the League of Nations. All participants in the World War thus subscribed to that Covenant, China, which refused to sign the German Treaty, having signed that with Austria.

The Treaty of Versailles came into force January 10, 1920. Originally the date set had been the anniversary of the armistice, but it was postponed several times to give the United States the opportunity to enter on a par with the other states. The armistice conditions were, however, inadequate for meeting the problems of Europe, and on January 10 the Covenant of the League of Nations became effective by the signing at Paris of the following procès-verbal:

Procès-verbal of the ratification of the Treaty of Peace signed at Versailles, June 28, 1919, between the United States of America, the British Empire, France, Italy, Japan, Belgium, Bolivia, Brazil, Cuba, Ecuador, Greece, Guatemala, Haiti, Hedjaz, Honduras, Liberia, Nicaragua, Panama, Peru, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Siam, Czechoslovakia and Uruguay on the one hand, and Germany on the other hand, as well as of the following acts: Protocol signed on the same day by the same Powers and arrangement of same date between the United States, Belgium, the British Empire, France and Germany concerning occupation of the Rhine provinces.

In execution of the final clauses of the Treaty of Peace, the undersigned have met at the Ministry of Foreign Affairs at Paris, to proceed to deposit ratifications and to consign them to the French Government.

Instruments of ratifications, or notice of their dispatch, by the four Principal Allied and Associated Powers, that is to say:

¹Ratified by Austrian President, October 25, 1919.

²Ratified by Bulgarian Sobranje, January 12, 1920.

The British Empire for the Treaty of Peace, Protocol and Arrangements;

France, for Treaty of Peace, Protocol and Arrangement;

Italy, for Treaty of Peace and the Protocol;

Japan, for Treaty of Peace and Protocol;

And by the following Allied and Associated Powers:

Belgium, for Treaty of Peace, Protocol and Arrangement;

Bolivia, for Treaty of Peace and Protocol;

Brazil, for Treaty of Peace and Protocol;

Guatemala, for Treaty of Peace and Protocol;

Panama, for Treaty of Peace and Protocol;

Peru, for Treaty of Peace and Protocol;

Poland, for Treaty of Peace and Protocol;

Siam, for Treaty of Peace and Protocol;

Czechoslovakia, for Treaty of Peace and Protocol;

Uruguay, for Treaty of Peace and Protocol,

Having been produced and after being examined having been found in good and true form, are confided to the French Government to be deposited in its archives.

Conforming to the provisions of the final clauses, the aforesaid French Government will give notice to contracting Powers of the deposit of ratifications at another time by states which are signatories of aforesaid Treaty, Protocol and Arrangement, but which have not been ready to proceed to-day to this formality.

In confirmation of which the undersigned approve the present procès-verbal and affix their seals.

Done at Paris, the 10th day of January, 1920, at 4.15 o'clock.¹

NEUTRALS INVITED TO ACCEDE

Immediately after the signatures were placed to the procès-verbal, the fact that the treaty was in force was conveyed to the neutral Powers named in the Annex to the Covenant by a note of the President of the Interallied Peace Conference covering a certified copy of the treaty itself. This note was addressed to the Argentine Republic, Chile, Colombia, Denmark, Spain, the Netherlands, Norway, Paraguay, Salvador, Sweden, Switzerland and Venezuela, together with the following telegram to the chiefs of those states:

By the terms of Article 1 of the Annex of Part I of the Treaty signed

¹New York Times, January 11, 1920.

at Versailles, June 28, 1919, between the Allied and Associated Powers and Germany, the Argentine Republic (etc.) is invited to accede to the Covenant of the League of Nations within two months of the coming into force of the said Treaty.

I have the honor to inform your Excellency that the Treaty of Versailles having, in conformity with the final clauses, been ratified by Germany, on the one hand, and on the other, by several Allied and Associated Powers, including the British Empire, France, Italy and Japan, it has been brought into force to-day, January 10, 1920, that a duly certified copy of this Treaty has been forwarded this day to His Excellency the Ambassador [or Minister] at Paris.¹

MEMBERSHIP IN THE LEAGUE

Original members of the League of Nations are determined in two ways. There are first "those of the signatories which are named in the Annex to this Covenant"; and secondly, "those other states named in the Annex," which "shall accede without reservation to this Covenant" within two months of its coming into force.

The states omitted temporarily are:

1. The former enemy states: Germany, Austria, Hungary, Bulgaria and the Ottoman Empire.

2. States resulting from the breakup of Russia, each of which on its establishment of permanent government "may become a member of the League if its admission is agreed to by two-thirds of the Assembly," provided that "it shall give effective guaranties of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League as regards its naval, military and air forces and armaments." The separate entities distinguishable in Russia include the Republic of Finland,² Republic of the Ukraine,² Republic of Esthonia,² Republic of Lithuania, Livonia, Courland, Latvia, the Murman Government, the Federal Republic of Russian Soviets (Bolshevist Russia), Republic of the Don, the Republic of Georgia,² Kuban, the Government of North Russia, the Government of Northwestern Russia, the Tartar-Bashkir Republic, the Taurida Republic, the Terek Republic, the Republic of Turkestan, the Republic of

¹*La Paix par Le Droit*, xxx, 43.

²Request for admission referred to the first meeting of the Assembly.

Siberia and the Republic of Yakutsk. In the same category, though non-Russian, are the Republic of Azerbaijan, the Republic of Armenia and Iceland.

3. States existent before the war but which were not included in the settlement: Abyssinia, Afghanistan, Andorra, Bhutan, Costa Rica, Liechtenstein, Luxemburg,¹ Mexico, Monaco, Nepal, Oman, and San Marino.¹ Several of these states have in reality no possibility of independent sovereignty, but are technically rated as independent. Those which are in a position to take a place in the family of nations will be admissible to the League of Nations under the same conditions as those in the second category.

For the present the League of Nations is made up from the states which signed the Treaty of Peace with Germany and the neutrals named in the Annex to the Covenant. For the sake of presenting the facts in the most summary form the following tabulation is published:

Ratification of the Treaty of Versailles

PARTY OF THE SECOND PART

Germany—Resolution of German National Assembly, passed by a vote of 208 to 115, July 9, 1919; ratification by President Ebert, July 9, 1919; the President of the Peace Conference in a letter of July 11 to the German Delegation at Versailles acknowledged receipt of the German ratification for deposit as follows:

You have been good enough to inform me by letter, dated July 10, that the President of the German Empire (*Reich*) had approved on the 9th of this month, without approval by the legislative assemblies, ratification of the Treaty of Peace, signed June 28 last, of the annexed protocol, and of the agreement concerning the military occupation of the Rhine districts, signed the same day. The single instrument of ratification has been deposited with the Secretary-General of the Conference.

PARTIES OF THE FIRST PART

United States of America—Treaty submitted to United States Senate for advice and consent to ratification, July 10, 1919; reported to the Senate by its Committee on Foreign Relations,

¹Request for admission referred to the first meeting of the Assembly.

September 4, 1919; 46 amendments defeated; with reservations, failed of two-thirds vote, November 19, 1919; Senate negotiations on form of reservations; again failed of two-thirds vote, March 19, 1920; treaty returned to President, March 20, 1920.

The British Empire—Ratification deposited at Paris, October 8, 1919 (procès-verbal of January 10, 1920), covering ratifications as follows:

United Kingdom of Great Britain and Ireland—Bill passed Parliament July 25, with royal assent July 31.

New Zealand—Parliament, September 2.

Canada—Senate, September 4; House of Commons, September 11.

Union of South Africa—House of Assembly, September 2; Senate, September 12.

Australia—House of Representatives, September 19; Senate, October 2.

India—July 31.

France—Passed by Chamber of Deputies, 372 to 53, October 2, 1919; passed by Senate, 217 to 0, October 11, 1919; ratified by President, October 12, 1919; deposit of ratification, October 13, 1919; procès-verbal of January 10, 1920.

Italy—Royal decree, October 7, 1919; procès-verbal of January 10, 1920.

Japan—Approved by Council; ratified by Mikado, October 27, 1919; procès-verbal of January 10, 1920; deposited March 19, 1920.

Belgium—Parliament unanimous, August 8, 1919; ratification, September 16, 1919; procès-verbal of January 10, 1920.

Bolivia—Ratification, November 17, 1919; procès-verbal of January 10, 1920.

Brazil—Ratification, December 2, 1919; procès-verbal of January 10, 1920.

China—Peace with Germany declared, September 15, 1919.

Cuba—Ratification, February 4, 1920; deposited, March 10, 1920.

Ecuador—To be submitted to Congress which meets August 10, 1920, the treaty not having reached Quito in time for action by last Congress.

Greece—Ratified.

Guatemala—Ratification, October 1, 1919; procès-verbal of January 10, 1920.

Haiti—

The Hedjaz—

Honduras—Ratified by Congress.

Liberia—

Nicaragua—Ratified, April 6, 1920.

Panama—Assembly, unanimous, January 9, 1920; procès-verbal of January 10, 1920.

Peru—Ratification, ; procès-verbal of January 10, 1920.

Poland—Parliament voted, 245 for to 41 against, July 31, 1919; ratification, October 28, 1919; procès-verbal of January 10, 1920.

*Portugal*¹—Senate and Chamber of Deputies, April 1, 1920; ratified, April 6, 1920; deposit, April 8, 1920.

Rumania—Royal decree, April 7, 1920.

Serb-Croat-Slovene State—February 10, 1920.

Siam—Ratification, September 4, 1919; procès-verbal of January 10, 1920.

Czecho-Slovakia—Ratification, December 23, 1919; procès-verbal of January 10, 1920.

Uruguay—Chamber, October 18, 1919; ratified, October 24, 1919; procès-verbal of January 10, 1920.

STATES INVITED TO ACCEDE TO THE COVENANT

Argentine Republic—Adhesion notified to Paris, July 18, 1919.

Chile—Senate unanimously approved, August 5, 1919; House of Representatives, August 16, 1919; adhesion filed November 14, 1919.

Colombia—Approved by Congress, November 8, 1919; adhesion filed.

Denmark—Adhesion filed, March 10, 1920.

Netherlands—Bill presented to Parliament, January 15, 1920; resolution passed by Chambers, February 19 and March 5, 1920; adhesion filed, March 10, 1920.

Norway—Unanimous report of committee advising adhesion, October 12, 1919; adhesion voted by Storting, March 5, 1920,

¹The bill introduced January 31, 1920, asserted the right of Portugal to retain German property as indemnity for war damage; the ratification demanded the incorporation into Portuguese territories of Kionga south of Rovina.

100 for to 20 against; adhesion filed, April, 1920, saying: "In accordance with its traditions, it shares the great idea on which the League is based, which in its eyes represents the most considerable effort made up to the present to develop the rule of justice among nations, and that the future of the League depends essentially upon a development based on the accession of all civilized nations, a general limitation of armaments and the obligation to settle peaceably all international disputes in order to avoid war."

Paraguay—House, October 29, 1919; Senate, November 13, 1919.

Persia—November 21, 1919.

Salvador—Executive decree ratified, March 11, 1920; adhesion filed, March 10, 1920.

Spain—Approval by Parliament, August 7, 1919; adhesion filed, August 14, 1919.

Sweden—Proposal of adhesion submitted to Riksdag, February 18, 1920; adhesion filed, April, 1920.

Switzerland—Vote of National Council, November 11, 1919, 105 for to 49 against; resolution of National Council, February 13, 1920; adhesion approved by National Council, March 2, 1920, by vote of 114 to 55; by Council of States, March 5, 1920, by vote of 30 to 6; plebiscite, May 16, 1920.

Venezuela—Adhesion filed, March 10, 1920.

"FRESH CHAPTER IN WORLD'S HISTORY"

Of all the states participating in the formalities which brought the Treaty of Versailles, only one showed officially any adequate appreciation of what was happening. The Mikado of Japan, however, doubtless said the historic thing in a rescript issued to his people, which amply deserves notice in these pages. He said:

"It is a source of deep rejoicing to us that the gigantic war which has plunged the whole world into unspeakable consternation for the past five years has at last come to an end through the valiant and unstinted efforts of the Powers in alliance with us and that the peace of the world has thus been at length restored. The final reparation of the result of so great a catastrophe and the guaranty of the reign of tranquility in the future, needless to say,

depends altogether upon the wholehearted co-operation of all the Allied Powers.

"With these considerations in mind, we dispatched our delegates to the Peace Conference which was lately held in France with instructions to participate in its deliberations. We are now much gratified to know that a new treaty looking to the establishment of perpetual peace has been arrived at, and the foundation of a League of Nations laid down, while, at the same time, we are fully conscious of the heavy responsibility henceforth devolving upon our country.

"At the opening of this fresh chapter in the history of the world and in view of the tremendous changes in its aspects, however regarded, we hold it to be high time that all loyal Japanese subjects should address themselves with the best endeavors at their command to the task of adapting their activities to the onward march of events.

"We therefore call upon our subjects that, keeping this cardinal aim constantly before them, they should in the first instance work for the attainment of that durable peace contemplated by the institution of the League of Nations, always abiding by the principle of universal justice and following the path of progress of the world.

"It is at the same time our earnest hope that they will make it their guiding principle to keep to a sound and wholesome fashion of living, eschewing as unworthy of them all forms of frivolity and luxury, and will devote their efforts to furthering the advancement of the national resources with a view to keeping pace with the advance of human progress.

"Trusting that we may enjoy forevermore the blessings of peace and tranquility, together with the whole company of friendly nations, we give expression to our ardent hope that, relying upon the undivided co-operation of our loyal subjects, we shall accomplish the task of advancing the general welfare of the entire people and of spreading throughout the land the utmost benefits of civilization, so as to crown the past achievements of our forefathers with imperishable glory, and we hereby enjoin upon our loyal subjects to fulfil our wishes herein expressed."

II. ORGANIZATION OF THE LEAGUE OF NATIONS

The Plenary Session of the Interallied Peace Conference adopted the text of the Covenant of the League of Nations as it stands in the treaties during a session held at Paris on April 28, 1919. At the same time a vote providing for the organization of the League was passed in the following form:

That the powers to be represented on the Council of the League of Nations are requested to name representatives who shall form a committee of nine to prepare plans for the organization of the League, and therefore the establishment of the seat of the League, and to make arrangements and to prepare the agenda for the first meeting of the Assembly; this committee to report both to the Council and to the Assembly of the League.

The Organization Committee held its first meeting at the Hotel Crillon, Paris, on May 5. Sir Eric Drummond was invited to attend the meetings as acting Secretary-General and the committee itself was organized with the following membership: M. Pichon, France, chairman; Edward M. House, United States; Lord Robert Cecil, Great Britain; Marquis Imperiali, Italy; Viscount Chinda, Japan; M. Rolin Jaequemyns, Belgium; M. Venezelos, Greece; José Quiñones de Leon, Spain, and Antonio O. de Magalhaes, Brazil.

Before the Treaty of Versailles was signed on June 28 organization of the provisional offices of the League was begun, with Sunderland House, London, as the headquarters. The organization was completed on paper before the entrance of the treaty into force enabled the League itself to function. The Secretary-General, Sir James Eric Drummond, was named in the Annex to the Covenant. By Article 6 the secretaries and staff of the Secretariat are appointed by him with the approval of the Council. This provision enabled him, working in connection with the Organization Committee, to select his associates. First among these are under secretaries-general from France, Italy and Japan, while an American place is vacant until the United States reaches a decision on the treaty. The under secretaries-general are equal

in rank and each of them is competent to serve as the secretary-general's deputy on any business of the League. Both governmental departments and private publishers were circularized with a view to collecting the library necessary for the use of the League, and many other phases of organization were initiated.

PRELIMINARY DECISIONS AS TO ORGANIZATION

The Organization Committee itself advanced the status of the League in many ways by temporarily approving plans of the Secretary-General and by taking decisions of its own. At a committee meeting at the Hotel Crillon, Paris, on June 10, the Secretary-General presented a memoir concerning the organization of the League. A general discussion followed, as a result of which the following resolution was adopted:

It will be essential for the League to anticipate and to be informed as rapidly as possible of all important subjects of political, economic, financial, social and other characters in all parts of the world. Every state member of the League will consequently make known to the international Secretariat all appropriate information.

The commission was also agreed upon recommending that "the Governments of states members of the League shall take into consideration the services of their national officials in the international Secretariat," thus facilitating for the League solution of the problem of securing from national administrations the experts needed for business of international concern.

Article 7 of the Covenant provides that "the seat of the League is established at Geneva." The realization of that provision was recognized to depend upon the attitude of Switzerland, which in due course would be invited to accede to the Covenant. The City of Geneva voted to accept the honor accorded to it and designated a site for the eventual home of the international organization. This site lies about eight miles outside of the city between the villages of Genthod and Versoix and between the north bank of Lake Lemman and the French frontier. It consists of five or six square miles of ground with a lake frontage. The Soussure and Pourtalès chateaux, dating from 1783 and 1850, respectively, are upon the grounds, which were selected by a commission representing the Peace Conference late in May. Belgium has, however,

strenuously put in a claim to secure the seat of the League for the City of Brussels and this is one of the considerations which has retarded the completion of plans for a permanent home for the League of Nations.

TEN SECTIONS ALREADY ORGANIZED

The provisional organization of the League has been made as a result of a careful analysis of the duties devolving upon the Secretariat. There can, of course, be no certainty that the present arrangement will be final, and in fact the organization has been fundamentally so constructed that it will be possible to add new duties either by the assignment of increased functions to existing sections or by adding new sections to the Secretariat without disturbing the organization. The sections now existing are the following:¹

1. Political.
2. Legal.
3. Economic and Financial.
4. Administrative Commissions and Minority Questions.
5. Transit and Communications.
6. Information.
7. Mandates.
8. International Bureaus.
9. Registration of Treaties.
10. Social Questions and Health.

The work assigned to these sections may be shortly summarized.

POLITICAL SECTION

This serves as a means of communication between the Secretariat and national Governments. It will be both a research and corresponding bureau on political matters. The section will probably be divided into geographical divisions with a national from the region in question at the head of each division. Investigation by travel and inquiry are the obvious methods for securing the necessary information for this section, which will prepare material both for the use of the League and for transmission in the

¹Much of the information given in expanded form below is due to an article, "The League at Work," in the *North American Review*, April, 1920.

form of reports to member states. It will fall to this section, if the occasion should arise, first to consider the facts if any member state should exert the "friendly right" under Article 11 "to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends." The director of the section is Paul Mantoux, the talented interpreter for the Interallied Peace Conference.

LEGAL SECTION

This section will have about the duties of the offices of the counselor and the solicitor in the Department of State of the United States. The counselor studies and handles advanced legal questions which are referred to him, while the solicitor's office is responsible in a general way for the determination of the questions of law arising in the work of the department. The Legal Section of the League of Nations will have duties of both types. Any question raised in any part of the organization respecting the meaning or implication of the constituent treaty will of necessity be referred to this section for solution. Legal questions arising in the work of any of the numerous commissions which in the course of time will depend upon or report to the League would naturally be referred to this section.

Article 19 provides that "the Assembly may from time to time advise the reconsideration by members of the League of treaties which have become inapplicable." The Assembly would naturally be guided in any action under this provision by the opinion of the Legal Section, whose normal duties in this respect might well become extensive. For the Legal Section will have a large task in drafting projects of treaties and conventions codifying international practice for the Assembly, which is the law-making body of the League.

And in performing this task its experts will of necessity become more familiar with the treaties of the various members respecting the subject matter under discussion than their own nationals; so that it would be a matter of convenience all around for the Legal Section to report to the various states wherein their treaties would be affected by the proposed general conventions.

By Article 14, "the Council shall formulate and submit to the members of the League for adoption plans for the establishment of a permanent Court of International Justice." The Council has appointed this committee and it becomes the duty of the Legal Section to serve it in a secretarial capacity, while one of its future duties will be to serve as the contact between the Court and the Council of the League.

ECONOMIC AND FINANCE SECTION

This section is under the direction of J. A. Salter, who performed valuable duties as secretary of the Allied Maritime Transport Council during the war and of the Supreme Economic Council during the armistice period. The section's duties will be primarily informative, and for the first time in history it will make possible the compilation and summarizing of adequate statistics on the economic conditions of the world as a whole. While no decision has been reached on the point, it may safely be predicted that the section will issue a statistical periodical. Its principal duty under the Covenant will be to provide the Council, the Assembly, and other organs of the League with the fundamental economic information required by them. As the economic boycott provided for in Article 16 is a new method of international constraint, it will fall to the experts of this section to study it in all its bearings and to report to the Council concerning the practical measures necessary for its efficacy, in case it should be invoked.

At the second meeting of the Council a resolution was passed calling for a conference of the financial experts of the world with a view to "studying the financial crisis and to look for the means of remedying it and of mitigating the dangerous consequences arising from it." The Economic and Finance Section will perform secretarial duties at this conference.

This section was the first organ of the League to accomplish work of public interest. It invited members of the International Institute of Agriculture and of the International Statistical Institute to a conference in London on August 14-15, 1919, to discuss the relation of the League with those institutions—one of which was official and the other unofficial,—and also, in general, the way in which the League could profitably assist the development

of international co-operation in statistics. The summary of suggestions at this conference is given as follows:

1. That the institution of a Central Advisory Council on Statistics, to meet normally at the seat of the League, is desirable; this Council being constituted partly of members of the separate statistical bodies referred to hereafter, and partly of statisticians and other persons nominated by the League. Such persons to include some who are concerned rather with the use of statistics than with their preparation.

2. That, in principle, there should be a separation of the main classes of statistics, and that these should be intrusted to several different bodies or institutions working in conjunction with the League.

3. That these bodies should be, in the case of agricultural statistics, the International Institute of Agriculture at Rome; in the case of labor statistics, the International Labor Office; and, for the time being, in the case of demographic statistics, the Permanent Bureau of the International Institute at The Hague.

4. That a committee be appointed to consider the definite distribution of statistical work between the various bodies connected with, or proposed to be connected with, the League of Nations, and to make suggestions, if thought desirable, for the establishment of other bodies than those already referred to.

5. That the appointment of such a committee, if thought advisable, should be undertaken by the Secretary-General of the League of Nations.

6. That the above committee, if appointed, should prepare a report for submission to the Secretary-General on the matters referred to.

7. That, when the report is completed, the Secretary-General should endeavor to obtain the views of international statisticians upon the questions dealt with in as representative a manner as possible.¹

The Supreme Economic Council in session at Paris on February 8 passed the following resolution:

It has been decided to ask the League of Nations when it is proposed to begin the study of economic questions and to examine with it, if and when, it will be in a position to take over the duties of the Supreme Economic Council. The permanent committee of the Supreme Economic Council is charged with presenting to the Council at its next session a report on the question.

¹League of Nations, E. & F. 1. Conference on International Co-operation in Statistics, August 14 and 15, 1919.

ADMINISTRATIVE COMMISSION SECTION

The Peace Treaty assigned to the League of Nations numerous duties which were of a continuing nature or where the element of justice was important. Most of these duties have relation to the appointment or supervision of commissions for certain reserved areas or for the control in some measure of boundary delimitations. Such permanent or semi-permanent organs as the Reparation Commission will have continuous relations with the League, and in these circumstances the Administrative Commission Section will act as the liaison office. There are in the treaties of peace and the supplementary arrangements numerous provisions for the proper carrying out of which the League is made responsible; the arrangements for protecting racial, religious or linguistic minorities, for instance. The treaties of peace contain guaranties on these subjects not only as respects populations left under the sovereignty of former enemies, but also as respects those transferred to another sovereignty. Separate treaties containing the same guaranties have been negotiated with Poland, Czecho-Slovakia, the Serb-Croat-Slovene State and Rumania.

Such activities will be the subjects of reports to the Council by this section. At the present time the commissions for the delimitation and the government of the Saar Basin and the control of Danzig exist.

TRANSIT SECTION

At the second meeting of the Council, on February 13, the Spanish representative submitted a report on the duties of the League of Nations as to transit, ports, waterways and railways. He pointed to the necessity of creating an administrative organization, which should be constituted by a permanent committee on communication and transit, and which will assume the character of an advisory body of the League of Nations. To prepare this long and important work of organization, it would be necessary, he said, to create within the League of Nations a body which would lay before the Council investigations, information and opinions on the immediate application of clauses of the Covenant and the Peace Treaties.¹

¹The provisions referred to are Article 23 (e) of the Covenant, Part XII of the Treaties of Peace with Germany and Austria, Part XI of that with Bulgaria, and the analogous parts of those with Hungary and the Ottoman Empire.

"We must not lose sight of the fact," he said, "that there already exists an expert commission which has been concerned in these matters, and to which we may apply at once for their execution. This commission has been officially charged with a similar mission which, with an extended constitution, has continued to exist unofficially, and has actively carried on the examination of these problems. This is the Commission on the International Régime of Ports, Waterways and Railways created at Paris, which fulfilled the duties of an advisory body to the Peace Conference.

"To attain the end in view it would seem wiser, in place of creating a new body without experience, to utilize the one already in existence, which is expert in the consideration of these questions, which has accumulated a considerable fund of information for their solution, and which has profited by the examination of practical cases. It goes without saying that the Council, by resolving to utilize this commission as an advisory body, does not anticipate the solution of any fundamental question concerning the examination of questions concerning the freedom of communications and transit."

Señor Leon submitted to the Council the following conclusions:

(a) To submit to the Council proposals for the formation of a permanent organization, as part of the organization of the League of Nations, concerning communications and transit.

(b) To prepare, for submission to this organization, drafts of general international conventions with regard to transit, waterways, ports, and, if possible, railways.

(c) Provisionally, and until the organization has been formed, to advise on questions which the Council may think fit to submit to it, and which fall within the jurisdiction of the League of Nations under the terms of Article 23 of the Covenant of the League, and of the articles in the various Peace Treaties relating to ports, waterways and railways.

The report was unanimously adopted.

The commission referred to as an advisory body to the Inter-allied Peace Conference was reorganized late in 1919, as an International Commission for the Study of Freedom of Communications and of Transit at Paris on the invitation of the French Government, because "it believed it to be desirable that there should be a connection between the preparatory work undertaken by certain committees of the Peace Conference and the task of the

League of Nations."¹ The Dutch Government was invited to send representatives. After the above resolution was passed, the commission voted to accept the invitation of the League of Nations. It accepted the conclusions of the report of the Council on the permanent organization of communications and of transit under the League of Nations as its program. For the permanent organization the Council will prepare the necessary regulations.

INFORMATION SECTION

Publicity is the purpose of this section, which will correspond fairly closely to the press bureaus of the various chancelleries. To it will come in large measure the inquiries of private persons concerning the work of the League in any of its departments. Public statements will be issued through it, probably in the official form familiar in Europe, known as the communiqué. The Council has decided that its opening sessions and those in which decisions are rendered will be public. Press arrangements for those sessions will fall within the scope of this section. When the Assembly begins to function within a few months, it will be a body of some 150 representatives and officials conducting business along parliamentary lines; and the publicity arrangements will be made by the Information Section.

MANDATES SECTION

Article 22 of the Covenant declares that to peoples not yet able to stand by themselves under the strenuous conditions of the modern world "there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this Covenant." It is declared that the tutelage of such peoples should be intrusted to advanced nations, "and that this tutelage should be exercised by them as mandatories on behalf of the League." It is further provided:

In every case of mandate, the mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by

¹*Bulletin de l'Institut intermédiaire international*, II, 352, 383; *Le Temps*, October 26, 1919; *League of Nations Official Journal*, March, 1920, 38-42.

the mandatory shall, if not previously agreed upon by the members of the League, be explicitly defined in each case by the Council.

A permanent Commission shall be constituted to receive and examine the annual reports of the mandatories and to advise the Council on all matters relating to the observance of the mandates.

Besides this, Article 23 (b) pledges the members of the League respecting just treatment of native inhabitants in territories under their control and intrusts the League with general supervision of trade in arms and ammunition in backward countries.

The duties under these provisions are those of the Mandates Section, the head of which will probably be the secretary of the permanent Commission. All matters relating to native populations will naturally be of interest to this section, which will be divided into subsections for the proper conduct of its activities.

This section has a good deal of work already cut out for it. The former German overseas possessions have been allocated in accordance with a decision of the Supreme Council on May 6, 1919, as follows:

German East Africa, to Great Britain and Belgium; German Southwest Africa, to the Union of South Africa; German possessions in Pacific Ocean, south of the equator, other than Samoa and Nauru, to the Commonwealth of Australia; Nauru, to the British Empire; Samoa, to New Zealand, and the German Islands, north of the equator, to Japan.

Togoland and Kamerun are to be allocated after a joint recommendation to the Council has been made by France and Great Britain concerning them.

Three types of mandates had been worked out before the German Treaty was signed. They are as follows:

A. Mandates for communities which "have reached a state of development where their existence as independent nations can be provisionally recognized, subject to the rendering of administrative advice and assistance by a mandatory Power until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory Power."

B. Mandates for the peoples which "are at such a state that the mandatory must be responsible for the administration of the territory, subject to conditions which will guarantee freedom of conscience or religion, subject only to the maintenance of public

order and morals, the prohibition of abuses such as the slave trade, the arms traffic, and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other members of the League."

C. Mandates for territories which "owing to the sparseness of their population, or their small size, or their remoteness from the centers of civilization, or their geographical contiguity to the mandatory state, and other circumstances, can be best administered under the laws of the mandatory states as integral portions thereof, subject to the safeguards above mentioned in the interests of the indigenous population."

The mandate under Type C may be illustrated by the cases of what were German Samoa and German Southwest Africa, allocated respectively to the Dominion of New Zealand and the Union of South Africa. The government is intrusted to a mandatory with "full powers of administration and legislation," subject to the provisions of the convention for the control of the trade in arms and ammunition; the convention revising the general act of Berlin, February 26, 1885, and the general act and declaration of Brussels, July 2, 1890; and the convention relating to the liquor traffic in Africa, all signed at Saint-Germain-en-Laye, September 10, 1919. The laws of the mandatory are applicable to the territory, subject to any modification called for by local circumstances. Article 3 of the mandate prohibits the "military training of natives otherwise than for purposes of internal police and the local defense of the territory." It adds: "Furthermore no military or naval bases shall be established or fortifications erected in the territory." German Government property may be valued and the sum assessed credited to the interallied reparation fund, there to be regarded as allotted to the mandatory. The mandatory bears any deficit in revenue obtained locally. A clause of the Samoan mandate provides for incorporation into New Zealand if the natives desire such union and if the Allied and Associated Powers decide that the desire is conscious and well-founded. The Powers would then give effect to that desire and the mandate come to an end. Natives in foreign countries will enjoy the same diplomatic connection as the citizens of the mandatory.

Type B mandate is illustrated by the draft for German East Africa. It is essentially the same as Type C, but includes provisions establishing absolute equality of trade for the subjects and citizens of all the high contracting parties and enforcing complete freedom of conscience and the widest religious toleration.¹

No mandates under Type A have been allotted, but they will necessarily be of a more complicated character. Armenia, Syria and Palestine will fall under this type.

INTERNATIONAL BUREAUS

Before the war the necessities of international administration had produced some 60 international bureaus, commissions and offices established by treaties. Some 500 private international organizations existed. Though these frequently were very closely related, they had no connection one with another. For instance, European states signed at Bern on November 3, 1881, a convention for protection against phylloxera (plant lice). The International Institute of Agriculture was established by convention, June 6, 1905, and developed a division dealing with plant diseases of international concern. There was no way of consolidating such activities. Article 24 of the Covenant provides for the reorganization of these activities in the following terms:

There shall be placed under the direction of the League all international bureaus already established by general treaties, if the parties to such treaties consent. All such international bureaus and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the League.

In all matters of international interest which are regulated by general conventions but which are not placed under the control of international bureaus or commissions, the Secretariat of the League shall, subject to the consent of the Council and if desired by the parties, collect and distribute all relevant information and shall render any other assistance which may be necessary or desirable.

The Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the League.

These provisions affect some 60 international bureaus, offices and commissions, many of which are referred to in Article 282-295

¹London *Times*, June 6, 1919, 14; September 10, 1919, 10.

of the Treaty of Peace with Germany. The problem of this section of the League will be to consolidate those organizations coming under the League and to devise methods of maintaining contact with those not doing so. Many of them will doubtless come under the League, but the negotiations to that end will be arduous, because the organizations differ widely among themselves as respects both structure and character, even when their duties are essentially similar.

REGISTRY OF TREATIES

Article 18 of the Covenant provides:

Every treaty or international engagement entered into henceforth by any member of the League shall be forthwith registered with the Secretariat and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

The section to perform this duty remains to be organized. This will take place in the near future. Meantime, the Secretariat-General is notifying the Powers concerned of treaties entering into force. Provisions for the necessary publication of registered treaties are progressing along with the other publication plans of the League. When this section is in working order, it will take over certain duties of treaty publication now scattered among various organizations. For instance, all measures relating to the control of trade in arms and ammunition, formerly reported to a bureau at Brussels, will now be communicated to the League of Nations. The registration of arbitration treaties now assigned to the bureau of the Permanent Court of Arbitration at The Hague would naturally be transferred to the League of Nations registry. It is very desirable that this bureau, when it begins to function, should do so under regulations broad enough to permit the publication not only of treaty texts, but of documents connected with treaties and also of legislation relating to them or rendering them effective. It is a matter of some consequence to the students of international affairs to learn whether the publication of this section will supersede such publications as British and Foreign State Papers, the *Nouveau Recueil général de Traités* and *Archives Diplomatiques*.

INTERNATIONAL HEALTH ORGANIZATION

It is intended eventually to establish a Social Questions Section of the Secretariat-General. This, however, will take time because—to mention only a single difficulty—its scope can not be determined until it is known which of the several international bureaus dealing with such questions would be consolidated under the League of Nations. Meantime, the League of Red Cross Societies has held two meetings for purposes of reorganization, in view of the fact that by Article 25 of the Covenant the members of the League agree to encourage and promote voluntary national organizations “having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.” Article 23 (f) also pledges the members of the League to endeavor “to take steps in matters of international concern for the prevention and control of disease.”

These conventional statements are of wide-reaching importance. For the first time in history there is thus given to voluntary private organizations both a definite standing in international official life and an assignment of definite duties thereto. For it should be understood that the Red Cross organizations previously had no international status. They were private national organizations, usually recognized in national law; but they acquired any international influence which they possessed solely through the comity of nations. Moreover, their work was confined to war by the convention permitting their organization. Now they are recognized as primarily a peaceful agency, and we have in them a league within the League of Nations for “the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.”

At the second meeting of the Council of the League, Gastão da Cunha, the Brazilian member, was appointed reporter on the subject of the constitution of an international body for health problems. He made his report on February 13. In this report he said that if there were a field of action in which the League of Nations could bring immediate relief to nations and one which would affect individuals in their personal and family life, it was the field of social hygiene in the most liberal sense of the word. Health measures were essentially international measures, whether it be a

question of adopting preventive or defensive means to combat contagious or epidemic diseases, or of popularizing methods of cure and treatment. Without solidarity and an effective understanding between nations, any national organization, however perfect in itself, would be insufficient. But neither the Council nor the Assembly of the League of Nations, nor even the Permanent Secretariat, possessed the requisite knowledge for the necessary technical research, which was scientific as well as social. To bring about the creation of a permanent organization, it would seem well to receive the proposals of a committee of competent authorities, instructed to submit proposals to this effect to the Council as soon as possible.

Senhor da Cunha submitted the following resolution:

That in view of the duties imposed upon the League by Article 23 (f) and Article 25, the Council invites the Health Commission, which has already met informally on the initiative of the British Government, to constitute a conference by adding to its members a small number of international health experts with an official of the League as secretary. The conference will prepare for submission to the Council proposals concerning the institution of a permanent body, to whom the Council can refer for advice, and, if necessary, for action, all questions connected with the execution of the above-mentioned articles. (Official Journal, March, 43.)

The report was unanimously adopted.

The Council at its third session on March 13 had on the order of the day the consideration of measures to be taken to prevent typhus and cholera which were raging in Eastern and Central Europe and to prevent their spread to Western Europe. Mr. Balfour in taking up the discussion of the question recalled that the Covenant contemplated the institution of a conference on hygiene. Before it could meet the Council had received alarming news concerning the peril which menaced Europe from contagion by the typhus which was decimating Poland and by cholera, diseases engendered by the war and by bad and insufficient alimentation. It was absolutely necessary that the western Powers collaborate with the Polish Government to combat the scourge and prevent its spread. The Council demanded the immediate establishment of a consultative committee on hygiene to devote itself to combating vigorously the epidemic of typhus reigning in Poland. The minister of Poland at Paris explained the sanitary situation in

his country. "Poland finds herself unable to stop the epidemic by her own facilities. She possesses neither bandage linen, medicines nor disinfectants. The disease will decrease during the summer, but it will resume its ravaging course in the autumn and winter. It threatens the whole of Europe. It is an international problem and one which must be treated as such."

The Council approved Mr. Balfour's proposal.

During the session of the Governing Body of the International Labor Office held at London, March 22, 1920, the director of the office spoke of the need for creating a health section immediately, in view of the fact that the International Labor Conference of Washington had adopted a number of recommendations dealing with industrial hygiene. The question was what should be the relation of the Labor Office to the International Health Section of the League of Nations. Sir Allan Smith of the employers expressed the opinion that the Labor Office, being especially intrusted by the Treaty with industrial and social matters, was clearly concerned with industrial hygiene, but co-operation with the League was imperative because any overlapping of work, actual or apparent, must be carefully avoided. This view was generally supported, and the director stated that, if all were agreed that the Labor Office should have a section to deal with industrial health, all that was needed was to work out a practical method of co-operation with the League. This view was adopted by the Governing Body.

The International Health Conference contemplated by the Council met in London to organize the International Health Organization in April. The delegates were from states represented on the Committee of the International Office of Public Hygiene established at Paris by the convention of January 17, 1912, and included:

Great Britain—Lord Astor (chairman), Dr. Steegmann (technical adviser), Dr. G. S. Buchanan, Sir George Newman, and Harold Butler (deputy-director of International Labor Bureau).

France—M. Brisac, Dr. Pottevin, M. Thiebault, Leon Bernard, and M. Boujard.

Italy—Dr. Lutrario, Dr. Druetti, Dr. Bruz. Fornaciari.

Japan—Dr. Yoneji Miyagawa and Kakichi Kawarata.

America—Surgeon-General Rupert Blue.

Poland—Dr. Chodzko and Dr. Rajchmann.

The Red Cross societies were also represented.

By April 15 the conference had worked out a draft scheme for the League and a week later had undertaken the actual organization of a world crusade against disease.

The draft prepared for submission to the Council of the League of Nations reproduced the broad lines of the International Labor Office, providing for a permanent International Health Organization as part of the League's work. Its main functions will be to advise the League in all matters of health which affect individual countries in their relation with other countries; to organize rapid intercommunication when immediate precautionary measures are called for, as in epidemics; to secure or revise international agreements in this sense; to co-ordinate and help the work of other health organizations and the League of Red Cross Societies. Provision was made for collaboration between the Health Organization and the Labor Organization on matters which overlap, as, for instance, measures for the protection of the worker against disease, sickness, and injury arising out of his work.

The organization is planned to include:

1. A general committee, which shall consist of delegates from all the states members of the League, together with delegates from other states represented on the Committee of the International Office of Public Hygiene. This will meet at least once a year, and will correspond to the International Labor Conference and to the Assembly of the League.

2. An Executive Committee, corresponding to the Governing Body of International Labor and to the Council of the League, to meet not fewer than four times a year.

3. The Bureau, corresponding to the Labor Office and the Secretariat of the League. It will include a medical secretary, and will be competent to draft new conventions, revise old ones, etc., and generally carry out the routine duties of the organization.

ARMAMENTS COMMISSION

The scheme of organization already described covers the duties assigned to the Secretariat-General by the Covenant, with a single exception. Article 9 provides for a permanent commission "to advise the Council on the execution of the provisions of Articles 1 and 8 and on military, naval and air questions generally." The duties of this commission under Article 1 are to see that a new member accepts in proper form "such regulations as may be pre-

scribed by the League in regard to its military, naval and air forces and armaments."

The question of reduction of armaments will surely not be allowed to rest. The French Chamber of Deputies passed the following motion October 3, 1919, by a vote of 444 to 1:

The Chamber invites the Government of France:

1. To seek an agreement with President Wilson, as soon as the United States shall have ratified the Treaty, for the immediate meeting of the League of Nations;

2. To instruct, with a view to this meeting, the delegates of France to propose the examination of measures which, by means of the progressive reduction of armaments contemplated by Article 8 of the Covenant of the League of Nations, shall pave the way for progressive disarmament.

Whether joining the League was synonymous with the duty of keeping up a standing army to be placed at the disposal of the League to enforce decisions was for a long time a burning question in Denmark and Norway. The Democratic majority, against the protests of the Conservatives in both countries, read the Treaty as giving a member of the League full right to abolish its army and navy. Lord Robert Cecil, British representative on the League of Nations Commission, in replying to an inquiry by the president of the Norwegian Storting, said: "I have no doubt that your reading of Article 8 of the treaty is right. Undoubtedly it was never meant to put on any member of the League the burden and duty to keep up military forces."

Switzerland enters the League under special conditions as to participation in military activities, owing to her historical neutral position.

The Dutch Chambers in a resolution called upon the Government in joining the League to adopt the attitude that "the reduction of armaments by means of international agreements" was to "be regarded as of prime importance."

CLERICAL AND FINANCIAL STAFF

Two essential features of the Secretariat do not figure as sections. Clerical assistance to the Secretary-General and the sections is provided by a department known as the "Establishment." French and English stenographers, the Distribution Office, the general management of buildings and offices, publication, and the library fall to this department.

The Financial Administration has existed for several months under the charge of Sir Herbert Ames, a Canadian of wide experience. He is assisted by an accounting staff and it is expected that a governmental auditing of accounts will take place at the end of each fiscal year.

ORGANIZATION OF LABOR

The International Labor Office, established by Articles 392-398 of the German Treaty may be considered as a co-ordinate section of the Secretariat-General inasmuch as "membership of the League shall carry with it membership of the said" organization established by Part XIII of the Treaty and also because Article 23 (a) of the Covenant gives the League a general charge of international labor matters. The labor organization, however, functions separately to a very large degree, except in the matter of finances, which are taken care of entirely through the Financial Administration of the League of Nations.

The Labor Organization possesses its own Secretariat which set up offices at 53 Parliament street, London, shortly after the Inter-allied Peace Conference had approved the Labor part of the Treaty at its plenary session on April 11, 1919. An international organizing committee was constituted with Arthur Fontaine, France, as chairman and Harold B. Butler of Great Britain, as secretary. On May 10, this committee sent out to all members-to-be of the League of Nations a call to the First International Labor Conference to be held at Washington that fall. The Secretariat transferred its offices to Washington early in September and the conference itself was held in the building of the Pan American Union, October 29-November 29, 1919. It produced six draft conventions and six recommendations to the constituent Governments as follows:

Draft convention limiting the hours of work in industrial undertakings to 8 in the day and 48 in the week.

Draft convention concerning unemployment.

Recommendation concerning unemployment.

Recommendation concerning reciprocity of treatment of foreign workers.

Draft convention concerning employment of women before and after childbirth.

Draft convention concerning the employment of women during the night.

Recommendation concerning the prevention of anthrax.

Recommendation concerning the protection of women and children against lead poisoning.

Recommendation concerning the establishment of Government health services.

Draft convention fixing the minimum age for admission of children to industrial employment.

Draft convention concerning the night work of young persons employed in industry.

Recommendation concerning the application of the Bern Convention of 1906, on the prohibition of the use of white phosphorus in the manufacture of matches.

The second conference of the International Labor Organization has been fixed for Genoa, June 15, to take up maritime problems of labor. The third conference has been scheduled for Geneva at the beginning of 1921, when the program will include the following: I, Measures taken in the different countries relative to the decisions of Washington and Genoa; II, agricultural questions; III, infections in industry; IV, report of the commission relative to emigration; V, re-election of the Administrative Council of the International Bureau and modification of the statutes.

By Article 393 of the Treaty of Versailles an International Labor Office is established under the control of a Governing Body consisting of 24 persons, 12 of whom represent the Governments, six of whom owe their election to the delegates representing employers at the Washington conference and six of whom owe their election to the delegates representing workers. This Labor Office established itself at Seamore Place, London, with Albert Thomas of France as director, and the following membership:

Government Representatives: Arthur Fontaine, France; Sir Malcolm Delevingne, Great Britain; Baron Mayor des Planches, Italy; Hermann Rufenacht, Switzerland; Franciszek Sokal, Poland; F. A. Acland, Canada; Herr Leymann, Germany; Viscount de Eza, Spain; Eugène Mahaim, Belgium; S. Neumann, Denmark; M. de Alvear, Argentina; and M. Nagaoka, Japan.

Employers' Representatives: Louis Guérin, France; Sir Allan Smith, Great Britain; F. Hodacz, Czecho-Slovakia; Jules Lecocq, Belgium; Dr. Deitrich Schindler, Switzerland; and R. Osculati, Italy.

Workers' Representatives: Léon Jouhaux, France; G. H. Stuart-Bunning, Great Britain; J. Oudegeest, Netherlands; A. Herman Lindqvist, Sweden; Carl Legien, Germany; Tom Moore, Canada.

EXPENSES OF THE LEAGUE OF NATIONS

There has been a great deal of speculation respecting the cost of operating the League of Nations. By Article 6 the expenses are to be borne "in accordance with the apportionment of the expenses of the international bureau of the Universal Postal Union."

Article 22 of the convention of the Universal Postal Union signed at Rome, May 26, 1906, provides for the establishment of an international bureau, "of which the expenses are borne by all the administrations of the Union." The postal administrations participating in the conference selected at that time conditions under which each would make this contribution. Article 24 provides that, in case of a state adhering to the convention, "it devolves upon the Government of the Swiss Confederation to determine, by common consent with the government of the country concerned, the share to be contributed by the administration of this latter country toward the expenses of the international bureau."

Article 38 of the regulations drawn up at the same time provides as follows:

(1) For the apportionment of the expenses the countries of the union are divided into seven classes, each contributing in the proportion of a certain number of units, viz.:

1st class	25 units	4th class	10 units
2d class	20 units	5th class	5 units
3d class	15 units	6th class	3 units
	7th class		1 unit

(2) These coefficients are multiplied by the number of countries of each class, and the total of the products thus obtained furnishes the number of units by which the whole expense is to be divided. The quotient gives the amount of the unit of expense.

The first budget of the League is not yet effective and will not be until the States concerned have voted their quotas legislatively and turned them over to the Financial Administration. The conditions of the budget and the size of the quotas are, however, available. The present estimates, which are provisional in the sense that they have not yet been approved by the Council, were based upon the theory that £250,000 should be contributed by the states signing the Treaty of Versailles. The states invited to adhere to the Covenant as original members have now done so and the quotas based on signatory states have for the current esti-

mates been applied to them. The following table combines both categories in one alphabet and gives an accurate indication of the proportionate cost to each nation of membership in the League:

	Class	Units	Amount
America, United States of	1st	25	\$78,897
Argentine Republic	5th	5	15,780
Belgium	3d	15	47,336
Bolivia	6th	3	9,467
Brazil	3d	15	47,336
British Empire	1st	25	78,897
Canada	1st	25	78,897
Australia	1st	25	78,897
South Africa	1st	25	78,897
New Zealand	5th	3	9,467
British India	1st	25	78,897
Chile	5th	5	15,780
Colombia	5th	5	15,780
Denmark	4th	10	31,561
China	1st	25	78,897
Cuba	6th	3	9,467
Czecho-Slovakia	4th	10	31,561
Ecuador	6th	3	9,467
France	1st	25	78,897
Greece	5th	5	15,780
Guatemala	6th	3	9,467
Haiti	6th	3	9,467
Hedjaz	7th	1	3,149
Honduras	6th	3	9,467
Italy	1st	25	78,897
Japan	1st	25	78,897
Liberia	7th	1	3,149
Netherlands	3d	15	47,336
Nicaragua	6th	3	9,467
Norway	4th	10	31,561
Panama	6th	3	9,467
Paraguay	6th	3	9,467
Persia	6th	3	9,467
Peru	5th	5	15,780
Poland	1st	25	78,897
Portugal	4th	10	31,561
Rumania	3d	15	47,336
Salvador	6th	3	9,467
Serb-Croat-Slovene State	4th	10	31,561
Siam	6th	3	9,467
Spain	2d	20	63,122
Sweden	3d	15	47,336
Switzerland	3d	15	47,336
Uruguay	6th	3	9,467
Venezuela	6th	3	9,467
		607	\$1,600,013

This brief sketch of the organization of the League of Nations points to a very interesting and important conclusion. The League was made possible by the desire of peoples to avoid the necessity of war and to insure a régime of justice in the world. Definite rules looking to these ends constitute the first two-thirds of the Covenant of the League of Nations and those rules have, almost without exception, exclusively commanded public attention in discussions concerning the organization. Yet it is apparent from the mechanism provided to fulfil the functions of the League that the first two-thirds of the Covenant is requiring very little machinery. A vine follows its trellis; the organization of the League of Nations will develop functions easiest and most rapidly in those directions where the machinery of administration is provided. It is, therefore, of permanent significance that the Secretariat-General as at present constituted is most fully equipped to handle those questions of social and semi-social significance that represent the common interests of civilized peoples.

III. THE COUNCIL OF THE LEAGUE MEETS

As already stated, the League of Nations was not able to function until it was long overdue. The original expectation was that the four months and a half between the signing of the Treaty of Versailles on June 28 and the anniversary of Armistice Day, November 11, would afford ample time for all necessary ratifications, so that the latter date could be made that of the coming of the treaty into force. The Council of the League, according to this plan, would meet promptly, and the Assembly shortly after. A week would wind up the war, inaugurate the new era and attract proper public attention to the formalities and functions of its crowded days.

The part of the United States in that program was to be that of the star performer. M. Clemenceau in a letter sent to Edward M. House on September 4, 1919, urged such a program to "put the League in action," and emphasized the importance of reminding "the peoples at the opening of the first Assembly that the League of Nations will have prestige and influence in times of peace only if it succeeds in maintaining and developing the feeling of international solidarity from which it was born during the war." He proposed Washington as the meeting place:

In the first place, it seems to me that the first meeting of the League in Washington under the presidency of Mr. Wilson should be urgently called at the earliest possible moment. Owing to the hopes which this League has caused to be born and to facilitate the solution of international problems facing all nations, I would suggest that the meeting be held the first week of the coming November, and would propose the invitation of the greatest possible number of statesmen whose names were associated with the creation of the League of Nations.

But the President and the Senate went into a deadlock on the ratification of the treaty itself, and the European Powers, after several months of anxious waiting while their own affairs went from bad to worse, finally determined to count the United States out for the time. On January 10, 1920, they put the decision into execution and brought the League of Nations into existence by bringing the Treaty of Versailles into effect.

CALL FOR THE FIRST MEETING

Article V of the Covenant provides that "the first meeting of the Council shall be summoned by the President of the United States of America." In accordance with that provision the Department of State on January 13 sent the following call:

In compliance with Article 5 of the Covenant of the League of Nations, which went into effect at the same time as the Treaty of Versailles of June 28, 1919, of which it is a part, the President of the United States, acting on behalf of those nations which have deposited their instruments of ratification in Paris, as certified in a procès-verbal drawn up by the French Government, dated January 10, 1920, has the honor to inform the Government of Great Britain¹ that the first meeting of the Council of the League of Nations will be held in Paris at the Ministry of Foreign Affairs on Friday, January 16, at 10.30 A. M.

The President earnestly ventures the hope that the Government of Great Britain¹ will be in a position to send a representative to this first meeting. He feels that it is unnecessary for him to point out the deep significance attached to this meeting, or the importance which it must assume in the eyes of the world. It will mark the beginning of a new era in international co-operation, and the first great step toward the ideal concert of nations. It will bring the League of Nations into being as a living force, devoted to the task of assisting the peoples of all countries in their desire for peace, prosperity and happiness. The President is convinced that its progress will accord with the noble purpose to which it is dedicated.

REPRESENTATIVES ON THE COUNCIL

The first meeting of the Council of the League of Nations was held at the French Ministry of Foreign Affairs, January 16, 1920. The following members were represented:

Belgium, by Paul Hymans, minister of foreign affairs, minister of state;

Brazil, by Gastão da Cunha, ambassador extraordinary and plenipotentiary at Paris of the Republic of Brazil;

The British Empire, by the Right Honorable the Earl Curzon of Kedleston, secretary of state for foreign affairs;

France, by Léon Bourgeois, president of the Senate, former president of the Council of Ministers;

¹Sent also to France, Italy, Japan, Belgium, Brazil and Spain.

Greece, by Eleftherios Konstantinos Venizelos, president of the Council of Ministers;

Italy, by E. Maggiorino Ferraris, member of the Italian Senate;

Japan, by M. K. Matsui, ambassador extraordinary and plenipotentiary of His Majesty the Emperor of Japan at Paris;

Spain, by José Quiñones de León, ambassador extraordinary and plenipotentiary of His Majesty the King of Spain at Paris.

The delegate for Greece, Mr. Venizelos, proposed the French delegate, M. Bourgeois, as the first chairman of the Council. The delegate of the British Empire seconded the motion, which was unanimously agreed to. After inviting Lord Grey of Falldon to accept a seat among the diplomatic representatives as a proof of the Council's great esteem and requesting the Secretary-General to take his seat in the Council in his official capacity, M. Bourgeois delivered the following address:

THE PURPOSE OF THE LEAGUE

The High Contracting Parties, in order to promote international co-operation, and to achieve international peace and security by the acceptance of obligations not to resort to war, by the prescription of open, just and honorable relations between nations, by the firm establishment of the understandings of International Law as the actual rule of conduct among Governments, and by the maintenance of justice and the scrupulous respect for all Treaty obligations in the dealings of organized peoples with one another, have agreed to the Covenant of the League of Nations.

The work of the League of Nations is to be carried out by a body composed of representatives of all the States Members of the League, and by a Council composed of the representatives of the Principal Allied and Associated Powers, and the representatives of four States: Belgium, Brazil, Spain and Greece.

To-day, Gentlemen, we are holding the first meeting of that Council, convened by the President of the United States on January 13, 1920.

The task of presiding at this meeting and of inaugurating this great international institution, which opens so wide a field of hope for humanity, should have fallen to President Wilson.

We respect the reasons which still delay the final decision of our friends in Washington, but we may all express the hope that these last difficulties will soon be overcome, and that a representative of the great American Republic will occupy the place which awaits him among us. The work of the Council will then assume that definite character, and that particular force which should be associated with it.

The organization of the League of Nations will not be complete until the Assembly of all the States, as laid down in Article 2 of the Covenant, has met. This Assembly will consist not only of the original Members of the League of Nations, but of the States, nonsignatories of the Treaty, mentioned in the Annex to the Covenant, which are invited to accede within two months of the coming into force of the Treaty. Spain, the Argentine Republic, Paraguay, Chile and Persia have already acceded.

Even if under these conditions the machinery of the League remains incomplete until a later date, the meeting of to-day bears nevertheless the character of a first and solemn act.

"DATE OF BIRTH OF THE NEW WORLD"

January 16, 1920, will go down to history as the date of the birth of the new world. The decision to be taken to-day will be in the name of all States which adhere to the Covenant. It will be the first decree of all the free nations leaguering themselves together for the first time in the world to substitute right for might.

It has not been found possible to postpone this first meeting, for the League of Nations has been allotted two distinct tasks; one of urgent necessity, the other of future development. The first consists of the practical execution of the clauses of the Treaty of Peace. In order to build on strong foundations the structure of to-morrow, we must first remove the ruins accumulated by the war. In other words, to enable the Members of the League to combine, to respect and maintain the territorial integrity and the political independence of the Associated States against all aggression, the Treaty of Peace has laid down such boundaries for those territories as are consistent with justice. Only on these conditions can the task of the future, so clearly defined in the words of the Covenant which I have just quoted, be undertaken, namely the definite foundation of international justice, the organization of the security of peace-loving peoples by the general limitation of armaments, the protection of races not yet able to stand by themselves, whose welfare and development, in the words of Article 22, "form a sacred trust of civilization."

The constitution of international organizations for economic and social life form the very foundations of this new citadel which is being constructed.

Finally, the international regulation of the conditions of labor, in order to secure the welfare of the workers, assures at the same time social peace.

On this last point important preparatory work has already been done. You are all aware of the results of the Conference at Washington,

where an agreement was reached on a number of essential points, not only between Governments, but between representatives of the employers' and employees' associations.

To-day, Gentlemen, it is with the first part of our task that we have to deal. After having established regular collaboration between the Council and the Secretariat of the League, whose chief, Sir Eric Drummond, we are pleased to welcome here to-day, we have to choose without delay three members of the Frontier Delimitation Commission of the territory of the Saar.

The Commission of five members charged with the delimitation of this territory has to be constituted under the terms of Article 48 within 15 days of the coming into force of the present Treaty. One will be appointed by France, one by Germany, and three by the Council of the League of Nations, which will select nationals from other Powers. We will presently proceed, Gentlemen, with these appointments.

DUTIES OF LEAGUE UNDER TREATY

Other clauses of the Treaty will necessitate similar decisions at future meetings. A number of European territories which, either by their geographical position or by the diversity of their populations, might become a cause for international unrest, have been placed more or less completely under the care of the League of Nations. The territory of the Saar, whose Government we are going to appoint as soon as its boundaries have been fixed; the Free City of Danzig, the protection of which is to be guaranteed by the League of Nations; the territories of Eupen and Malmédy, whose future is to be decided by popular vote, are cases in point.

We have also to make provision for disputes which may arise in the administration of the great international highways and in the economic clauses of the Treaty.

You will have to consider, Gentlemen, when and how these various problems are to be placed on the agenda of our meetings.

All these questions may not appear of the highest significance, and public opinion will perhaps be surprised that we have to-day made no greater stride and left no deeper mark upon the world. They are, however, questions of immediate and practical importance, and, in considering them together in a spirit of mutual understanding, we are not only laying the first foundation of this great international institution, but we are establishing the principle and showing an example of that essential co-operation between the nations, which is the very spirit of the Covenant. We do not forget the impatience with which our decisions are awaited. We are well aware of the doubts of some and the

ardent enthusiasm of others, but we are here to represent responsible Governments, and while realizing the grandeur of the work, we can not ignore the inevitable difficulties of the enterprise we are serving. Animated by deep conviction, supported by the public opinion of the world and by the numerous manifestations of those great associations, which in all free countries have undertaken the education of the people in the precepts of the League of Nations, and determined to prevent, by every means in our power, the recurrence of these terrible disasters, which have imperiled civilization and drenched the world in blood, we shall proceed by the only sure method—that of attaining practical and successive results. With eyes fixed on the distant future, but with our feet on the solid ground of political and social realities, we will create a world in which the League can develop in the spirit of justice and the will for peace.

BRITISH EMPIRE PLEDGES LOYALTY

Lord CURZON spoke as follows:

Born a year ago, amid great hopes, though not without anxious symptoms, the League of Nations to-day enters upon its active existence, and on behalf of the British Empire I desire to express the loyalty of my Government, and of the external Dominions of the British Crown, to the spirit which underlies the Covenant of the League, our intention by every means in our power to insure its practical efficacy, and our firm belief that through its instrumentality alone we can hope to insure that such horrors and miseries as the world has experienced during the past five years shall not be repeated, and that a new era of international relationships shall dawn.

The League of Nations is the expression of a universal desire for a saner method of regulating the affairs of mankind. It is not a mere expression in platonic language of the necessity for international friendship and a good understanding. It provides the machinery by which practical effect may be given to these principles. The doctrine of community of international interests is now for the first time provided with an instrument endowed with formidable powers, fortified by the allegiance of Governments, and supported by the public opinion of the civilized world.

The Council which meets for the first time to-day is the forerunner of many similar gatherings at which the statesmen of the nations, great and small, will meet together to promote this co-operation and to exchange views. In the League of Nations an organ is thus created which will bring together those who are chosen by their people to represent them. Should disputes unhappily arise, the disputants will find themselves in an assembly of impartial and unbiased councillors, whose sole

aim will be to remove misunderstandings which may have arisen and to point the way toward an amicable solution.

RESTS UPON FACT OF NATIONHOOD

It has sometimes been said that the League of Nations implies the establishment of a super-state, or a super-sovereignty. The very title "League of Nations" should be sufficient to dispel this misconception. The League does not interfere with nationality. It is upon the fact of nationhood that it rests.

The League is an association of sovereign States whose purpose is to reconcile divergent interests and to promote international co-operation in questions which affect—or may affect—the world at large. How valuable such international co-operation can be is proved by the Labor Conference which took place recently at Washington.

Here, for the first time, an attempt was made to bring together, under the auspices of the League of Nations, representatives of Governments, of employers, and of labor. In spite of many adverse circumstances, delegates attended from 39 nations in every part of the world, and the result has been a great advance toward the general betterment of world labor conditions. Employers and labor, brought face to face, found that there was a large extent of common ground on which they could meet. Instead of the violent conflict of class interests, which was predicted by some, agreement was reached on many questions, such as that of the 8-hour day, and the 48-hour week, which had led to bitter disputes in the past. In a single month there were drafted and passed, in most cases with a full measure of agreement, six conventions and six recommendations. There is every hope that within twelve months, the provisions of these instruments will be placed on the statute-books of most, if not all, of the countries concerned. If this hope is fulfilled, there will have been achieved in one year, through the machinery created by the Treaty of Versailles, an advance exceeding the results of the entire work of the previous quarter of a century in the field of international action in industrial questions.

The success of the Labor Conference is of good augury for the future of the League of Nations, and in particular it has demonstrated the use and the power of public debate in one field of international action. The peoples of all countries have now learned that foreign affairs are their vital concern, and they are demanding, with ever-increasing insistence, that international obligations shall not be incurred without their knowledge and behind their backs. Their eyes have been opened to the necessity for co-operation between all nations, but they ask that it shall be open co-operation.

TO BRING RELIEF FROM ARMAMENTS

There is another and more important result which it is to be hoped that the habit of mutual confidence may bring about. It is this, that great national armaments will in time automatically disappear. We shall not perhaps see this come about in the immediate future, but the present weight of armaments is so oppressive to the nations and peoples concerned, that we should at once resort to the measures indicated in the Covenant to bring relief.

There are other activities of the League of wide significance, such as the just treatment of native inhabitants in territories under the control of the members; freedom of transit; equitable treatment of commerce among members; and in another and not less important sphere, the prevention and control of disease. The success of the League of Nations will affect many branches of human life and welfare. Monsieur Bourgeois has explained that the League of Nations is called upon to perform certain duties in connection with the Treaty of Versailles. It will be asked to undertake further obligations under the terms of other Treaties of Peace. In no case, however, will these obligations be inconsistent with the high conceptions which animated the founders of the League.

While I am in entire agreement with all that Monsieur Bourgeois has said, I should wish especially to express my full concurrence in his observations as regards the United States of America. The decision must be her own, but if and when the United States elects to take her place in the new Council Chamber of the Nations, the place is vacant for her and the warmest welcome will be hers.

In conclusion, I have to thank my colleagues for having given me the opportunity to utter these few words on an occasion of so much importance in the history of the spiritual progress of mankind.

ITALY'S IDEALS AS LEAGUE MEMBER

M. MAGGIORINO FERRARIS spoke as follows:

Upon me has fallen the honor of confirming in the name of the Italian Government the eloquent words of our illustrious Chairman, M. Léon Bourgeois. His name will ever be respected and remembered by posterity for his learning, his eloquence and his unshakable faith in the great ideal of the League of Nations, which receives to-day its historical consecration on the victorious soil of France. As that eminent statesman, Lord Curzon, so ably said, we are witnessing at this moment the moral importance and the practical benefits of this new institution, which will leave an immortal mark on the history of the relations between the

States and the people of the world from the political as well as from the social and economic point of view.

Italy did not hesitate to take her place of danger by the side of her valiant Allies at the most serious and perilous moment of the war. Italy does not hesitate to give her confident and unreserved reply to the invitation of President Wilson and the great American people. In full agreement with the Allied States and with all enlightened nations, our sole aim is to have done with that past in which countries impoverished their existence through distrust and suspicion, and to strive instead for the relief of suffering humanity, for the reconstruction of homes destroyed, for the ideal of universal brotherhood of Governments and peoples, for social peace and for progress, security and well-being of States and their citizens.

That illustrious statesman who brings back to us memories of the teachings of ancient Greece carries with him the imperishable traditions of his country, our friend and neighbor.

We heartily welcome also the worthy representative of free and gallant Belgium, and our distinguished associates from Brazil, Spain and Japan.

Throughout the centuries Italy has been ready to embrace the ideal of the League of Nations. It has been the fundamental principle inherited from doctrines of Roman Law, handed down through the teachings of jurists and students of the middle ages, to the philosophers and statesmen of the last century.

It is my duty to remind you of the confidence in, and the devoted work performed for the League of Nations at the Paris Conference by our ministers and statesmen Orlando, Nitti, Sonnino, Tittoni, now President of our Senate, and Mr. Scialoja. The gratitude of their country is already assured them.

BENEFITS WILL BRING APPRECIATION

As our great King Victor Emmanuel II, the friend and faithful ally of France, has wisely said, the appreciation of institutions depends on the benefits derived therefrom. It would neither be just nor sincere to hide from ourselves the fact that the League of Nations is born to-day in a certain atmosphere of skepticism. Together with our eminent President, we do not consider that this skepticism is justified, but we must neither exaggerate nor ignore it. After all their suffering so heroically borne, the world to-day is still awaiting many of the benefits of peace. Here lies the task for the League of Nations to fulfil. On the conduct of the Governments and on the wisdom of their representatives in this assembly depends the success of the League of Nations.

Lord Curzon has rightly reminded us of the valuable work accomplished

by the Labor Conference at Washington. It is especially for the settlement of the economic problem that my country, and, I think, humanity at large, looks toward the League for the solution of the tremendous problems arising out of the war, such as the high cost of living, the intolerable burden of exchange and freights, the liquidation of the enormous war debts, the best employment of the existing means of transport, the allotment of raw materials, the reorganization of industry and production, and the solution of the food problem. The League must show that it is not insensible to the cries of distress which arise anew from our brothers in the field and factory and echo in the ears of those assembled here.

The world knows that the solution of these problems is a heavy task, which can only be accomplished through the solidarity of all nations, great and small, rich and poor. It looks to the League of Nations for the practical realization, within the limits of possibility, of the sincere co-operation of Governments and of peoples. Thus only will it be possible to overcome the difficulties of the present day, to create a better world for generations yet unborn, and to convince the suffering nations how real and durable is the value of this noble and glorious institution, which we lay to-day upon the altar of history and consecrate to the triumph of justice over brute force, and the advancement of Social Peace.

M. BOURGEOIS repeated his invitation to Lord Grey, who had returned to the room.

Lord GREY gratefully accepted the invitation, saying that, though it would be out of order for him to speak, he esteemed it a great honor to be present on an occasion of such good auspices for the future of the League.

BRAZIL SPEAKS FOR THE AMERICAS

M. DA CUNHA spoke as follows:

I esteem it a great compliment to have been chosen to represent Brazil in this august assembly; and the honor of taking part in it is doubled by the fact that in doing so I am for the moment taking the place of a Brazilian statesman of world-wide fame.¹ That honor I accept with pride, not for myself, but for my country; I accept it as being the homage of the civilized peoples to the enlightened spirit and the traditions of international loyalty of Brazil.

Faithful to her past history, Brazil will devote herself with persistent eagerness to strengthening the cause of Peace and of Brotherhood among the nations. She is confident of seeing in the near future the steady growth of the organization created by the Treaty of Versailles and the fulfilment of the policy which has inspired it. She is happy to join with heart and soul

¹ The speaker refers to Ruy Barbosa, who was at the time expected to be the Brazilian representative on the Council.

in that noble task. She fully realizes the difficulties involved; but she takes courage in her certain hope that the League of Nations will not fail to realize the high ideal set before it—the organization of Justice through Victory.

At such a moment when, as all here must feel, we stand at a turning-point in history, at the dawn of a new era in human life—at such a moment I know beyond doubt that the ideas and the feelings I have expressed represent the thoughts and aspirations of the people and Government of Brazil, who have given me an explicit mandate. But my knowledge of the precedents of the history of the American Continent and of its unbroken progress toward the reign of Justice embolden me to say without undue rashness that I find in these facts an implicit mandate which authorizes me to express to you what very great happiness I feel, as the only American among you to-day, in being the spokesman of the whole American Continent.

The business of the Council at the first meeting consisted of the selection of members of the Saar Basin delimitation commission in accordance with Article 48 of the Treaty of Peace with Germany. London was chosen for the second meeting place, the date and agenda being left for arrangement between the chairman and the Secretary-General. The meeting closed at 11.55 A. M.

ABSENCE OF AMERICA AT SECOND MEETING

The second meeting of the Council was held in the historic picture gallery of St. James's Palace, London, February 11–13. Beneath the portrait of Henry VIII the table for the Council was placed, and the rest of the room was given over to 160 invited guests, including all the diplomatic corps, except the American ambassador, distinguished public men and representatives of the press. Arthur James Balfour represented the British Empire and D. Caclamanos represented Greece, the other countries having the same representation as before. Mr. Balfour was elected chairman on the motion of M. Bourgeois. Mr. Balfour, in opening the proceedings, said:

Gentlemen, I desire, on behalf of the Government of this country, and of the country itself, to welcome to-day our visitors upon the Council of the League of Nations. We are most gratified at seeing them here; but there is one blot on the assembly, if I may say so, which is that we are eight instead of nine. As the Council of the League was originally

designed in Paris, as it was embodied in the Treaty of Versailles, the five great Powers and four representatives of other Powers were to constitute the Council of the League. Events, which it is not the least necessary, or even desirable, that I should touch upon, have somewhat marred the symmetry of that plan, and as I was myself one of the plenipotentiaries at Versailles I am sure that nobody whom I am now addressing, and none of my friends in America, will think that I am doing wrong in expressing my personal regret that, for the moment at all events, we have not reached our complete numbers.

As it is, however, I do not doubt that we shall be able to do useful work, and that this institution, which carries within itself so many promises for the future, may in this its second meeting do something toward contributing to the consummation which we all desire. Gentlemen, on your behalf, I venture to assure all my colleagues here present of the hearty welcome we give them on this occasion.

M. Bourgeois, speaking in French, said:

The Council of the League of Nations wish to express the profound gratitude that they feel toward the British Government for what they feel is a double honor—first of all, the holding of this meeting in this historic palace, and secondly, the sending of Mr. Balfour as representative. I will now outline the task of the second meeting. As the French representative at the first meeting, I was given the task of preparing, with the Secretary-General, the agenda. I wish to acknowledge here my profound gratitude to Sir Eric Drummond, who has shown such great competence and cordiality in the work that we have undertaken together. My work has also been rendered easy by the excellent relations which exist between us and our colleagues.

ALL DECISIONS GIVEN IN PUBLIC

During this meeting the Council held five sessions, of which the first and the final one were public. The chairman of the meeting on taking up his duties made a statement respecting the publicity of proceedings, in which he said:

His Excellency has read to you the agenda, prepared by himself with the assistance of the Secretary-General, and which will in the main, subject to any decision that may be taken by the committees, regulate our proceedings. I ought to add this. After consultation with him and with my other colleagues we have come to the conclusion that the details of our work can not with advantage take place in an open assembly.

We recognize the extreme importance, and indeed necessity, of publicity

in the true and useful form of that phrase, but the actual detailed discussion we believe can only be carried on with that perfect freedom which is desirable—I even go further, and say necessary—if the work is to be efficiently done. The course, therefore, that we propose to take is to have this meeting at which we are all here gathered together an open meeting; then to resolve ourselves, as it were, into a committee and deal with the agenda in detail; then to have another open meeting, at which the general results of our labors will be communicated to the public, first to any who may be present in this room, and through them to the public at large.

That is the procedure which commends itself unanimously to my colleagues. I am convinced that it is the right procedure, and I trust that we shall be supported in that decision by the general verdict of public opinion.

BALFOUR CONFIDENT OF LEAGUE'S FUTURE

In opening the proceedings of the final session on the 13th, Mr. Balfour reverted to the subject of publicity again in these words:

The Council have agreed that the final stage of their decisions shall be taken in public, and this procedure which we have deliberately adopted we shall carry out at these meetings. It is unnecessary that I should occupy your time by any lengthy remarks before we come to our discussions, or the statements of the conclusions at which we have arrived regarding the various items in our program. That statement will be made by my colleagues of the Council, each one taking in turn the subject of which he was the appointed rapporteur.

He will then explain the decision to which we have come and we shall formally ratify them. Perhaps before calling upon His Excellency M. Bourgeois to begin our strictly business proceedings, I may be allowed to say this one word of preface. We are a very young institution. This is the second time that we have met, and it is perhaps the first time on which it may be said that we have had before us a general program of international business. It is too early to forecast our future, but I may say that if the experience of the last few days and hours is any guide or indication of what that future is to be, I look forward to it with the utmost confidence.

In Paris the greater part of the work, was, as you know, done and had to be done by the representatives of the great Powers. They were assisted by the representatives of the other Allies on certain rare special and fixed occasions. Here we have for the first time not merely representatives of the, I am sorry to say in this case, four, not five great Powers, but also representatives of the Allied Powers, and more important perhaps

than all—more novel, at all events—we have the valuable assistance of representatives of neutral countries. This is a great, and, I believe, happy and beneficent innovation, and if the nations of the world not merely those who are engaged in hostilities, but those—not very many after all—who were not involved in this world cataclysm are able in the future to meet together and discuss in the same business-like, friendly and conciliatory spirit which has marked every moment of our proceedings in the last few days, I can not doubt that the service which the League of Nations is capable of rendering in the future to mankind is almost incalculable and certainly is beyond computation at the present moment.¹

THIRD AND FOURTH MEETINGS

The Council met for its third session at the French Ministry of Foreign Affairs, Paris, on March 14, with M. Bourgeois presiding. Mr. Balfour again sat for the British Empire. Tommasso Tittoni sat for Italy and Athos Romanos for Greece. The agenda of the meeting covered two subjects: the Russian inquiry to be undertaken under the auspices of the League of Nations, and the measures to be taken to prevent the typhus and cholera raging in Eastern and Central Europe from spreading, as well as measures to combat the diseases in the plague-infected district.

The Council held its fourth meeting at Paris at the Petit Luxembourg on April 12 with M. Bourgeois presiding. Herbert A. L. Fisher sat as representative of the British Empire, Count Bonin-Longare for Italy, Baron de Gaiffier d'Hestroy for Belgium, and Mr. Venizelos resumed the representation for Greece. M. Bourgeois in opening the public session in the afternoon congratulated the Council upon the increasing confidence in its work exhibited by the order of the day which—though he did not say that—consisted almost wholly of the consideration of problems which had been found too difficult for solution by the so-called Supreme Council of the Allies. This *soi-disant* Supreme Council had requested the Council of the League to meet to consider the repatriation and revictualing of prisoners in Siberia, a mandate for Armenia, and the protection of minorities in Turkey.

¹League of Nations Official Journal, March, 1920, 32-33.

IV. ACTION OF THE COUNCIL

In three months the Council in four meetings has acted upon a round dozen of subjects presented as 15 separate items of business. Three of these subjects dealt with duties assigned by the Treaty of Versailles and have resulted in setting up in the Saar Basin and Danzig governments of which the world as a whole is the trustee through its agent, the League of Nations. The rest of the subjects have concerned the common interests of the nations, and the action has already facilitated and promoted that international co-operation which, with the maintenance of peace, is the fundamental reason for the League. Several of the decisions have set in motion activities which are of the utmost importance for the well-being of the world. Two of the subjects considered have resulted in the first steps toward the proper organization of transportation and the proper combating of menaces to human health; both of these activities have been embodied in the integral organization of the League of Nations.

It is the purpose here to set forth briefly the facts concerning the subjects acted upon by the Council, and so to indicate how much has been accomplished in the first three months of the League's existence. Three items properly dealt with as part of the organization of the League—international health and transit arrangements and the epidemic conditions in Eastern Europe—are included in the following list, which is compiled from the orders of business of the four meetings:

1. Appointment of the Saar Basin Delimitation Commission; resolution of January 16.
2. Appointment of five members of the Governing Commission for the Saar Basin, and petition from certain inhabitants of the municipalities of Wadern, Weiskirchen, Losheim and Britten, adjoining the Saar Basin on the north; resolution of February 13.
3. Certain questions with regard to Switzerland's entry into the League, on which the Swiss Government desired to have the opinion of the Council; resolution of February 13.
4. Appointment of the High Commissioner for the Free City of Danzig; resolution of February 13.

5. Organization of the Permanent Court of International Justice: Proposed list of names of international jurists to be invited to form a committee to prepare plans for the constitution of the court; resolution of February 13.

6. Duties of the League as to transit, ports, waterways and railways; resolution of February 13; reported as part of the Organization of the League.

7. Health: Constitution of international body for health problems; resolution of February 13; reported as part of the Organization of the League, International Health Section.

8. Polish minority treaty, guaranty of the League of Nations; resolution pending.

9. Convening of an International Financial Conference; resolution of February 13.

10. Investigation of conditions in Russia; resolution of March 14.

11. The menace of typhus and cholera in Eastern and Central Europe; resolution of March 14; reported under Organization of the League, International Health Section.

12. Administration of the Free City of Danzig and authorization of election conditions; resolution of April 12.

13. Repatriation and resupplying of prisoners of war in Siberia; resolution of April 12.

14. Question of the mandate for Armenia; resolution of April 12.

15. Protection of minorities in Turkey; resolution of April 12.

i. THE SAAR BASIN

By the Treaty of Peace with Germany the Saar Basin is transferred under various conditions to the usufruct of France "as compensation for the destruction of the coal mines in the north of France and for part payment toward the total reparation due from Germany from the damage resulting from the war." The coal mines in the basin are ceded "to France with full and absolute possession," details for the cession and exploitation of mining property being set forth in an annex. The government of the basin territory and provisions for a plebiscite at the termination of a period of 15 years are set forth. By Article 49 of the treaty Germany renounces in favor of the League of Nations, in the

capacity of trustee, the government of the territory; while paragraph 40 of the annex provides that "the decisions of the Council of the League of Nations will be taken by a majority" in all matters respecting it. The Saar Basin, with the exception of the mines, will therefore have a League of Nations government until January 10, 1935.

This responsibility was the subject of the first business transacted by the Council of the League, whose initial duty was to determine the limits of the territory affected. The Council on January 16 passed the following resolution:

Whereas Article 48 of the Treaty of Peace of June 28, 1919, between the Allied and Associated Powers and Germany after having indicated the frontiers of the territory of the Saar Basin stipulates that:

"A Commission composed of five members, one appointed by France, one by Germany, and three by the Council of the League of Nations, which will select nationals of other Powers, will be constituted within 15 days from the coming into force of the present Treaty to trace on the spot the frontier line described above."

Whereas the first procès-verbal of the deposit of ratifications as laid down by the final provisions of the Treaty of Peace between the Allied and Associated Powers and Germany has been completed in Paris on January 10, 1920, and whereas from the date of January 10, 1920, begin the 15 days fixed by Article 48 in which the Frontier Delimitation Commission for the territory of the Saar Basin is to be constituted:

Article 1. Colonel Wace (British Empire), Colonel Leite de Castro (Brazil) and Commandant Kobayashi (Japan) are appointed members of the Frontier Delimitation Commission of the territory of the Saar Basin.

Article 2. The Secretary-General of the League of Nations will communicate the present resolution to the French and German Governments, to the members of the Frontier Commission for the territory of the Saar Basin, and to the President of the Governing Commission of the territory of the Saar Basin.

Article 3. All expenses arising from the delimitation of the territory of the Saar Basin will be charged to the Government of that territory.

GOVERNMENT OF THE BASIN

As the government of the Saar Basin is entirely under the control of the Council, the necessary decisions concerning it were put on the program of the second meeting of the Council.

On February 13, Mr. Caclamanos, the representative of Greece, reported on the future government of the Basin. He stated that according to the instructions of the Council he had to submit to the meeting for their approval the following considerations concerning the government of the Saar Basin, the appointment of the Commission to which this government is intrusted, and the petition of certain German inhabitants of regions adjacent to the Saar Basin.

The Council proposed that the government of this territory should be intrusted, according to the Peace Treaty, to a commission representing the League of Nations which shall consist of five members: One citizen of France, one native inhabitant of the Saar Basin not a citizen of France, and three members belonging to three countries other than France or Germany. The five members will be appointed for one year by the Council of the League of Nations, and may be reappointed. They will be entitled to a salary which would be fixed by the Council of the League and charged on the local revenues. The chairman of the Governing Commission would be appointed for one year from among the members of the Commission by the Council of the League of Nations, and might be reappointed. The chairman would act as the executive of the Commission.

It seemed to him that the chairmanship should fall to the French member of the Governing Commission. The economic development, and in general the prosperity of the population of the Saar Basin, largely depended on the assistance that the French Government might grant them. In fact, by the stipulations of the Peace Treaty itself, the whole and absolute possession of the mines situated in the Saar Basin fell to France, who might exploit them without restriction. Moreover, the treaty stipulated that the territory of the Saar Basin should be subjected to the French customs régime. By insuring to the French state the possession and exploitation of the mines of the Saar on one hand, and on the other by intrusting it with the administration of the customs, the Peace Treaty had granted to France a body of rights concerning which the French Government was not required to consult the Governing Commission.

It was necessary, nevertheless, that these rights be exercised in complete accord with the aforesaid commission as to the method

of their application. The welfare of the population of the Saar and the necessity of maintaining order in this region require a close collaboration between the French Government, which by the treaty controls a very important part of the economic life of the basin, and the Governing Commission, to which the Council intrusts its administration.

Within the territory of the Saar Basin the Commission would have all the powers of government hitherto belonging to the German Empire, Prussia or Bavaria, including the appointment and dismissal of officials, and the creation of such administrative and representative bodies as it may deem necessary. It shall have among other powers to administer and operate the railways, canals, and the different public services. Its decisions shall be taken by a majority. The commission will establish an appellate court and all justice will be rendered in its name. It will raise funds by taxation and dues for the needs of the territory. The basin is fully disarmed, being the first portion of the civilized globe where there is now no military service, compulsory or voluntary.

The Council resolved that the following be appointed members of the Saar Basin Governing Commission for a period of one year: Mr. Rault, state councillor (French), Alfred von Boch (Landrath de Sarrelouis) (Sarrelouis), Major Lambert (Belgian), Count de Moltke Hvitfeldt (Dane).

Mr. Rault was appointed chairman of the Commission.

PROCLAMATION TO THE PEOPLE

The commission was organized without delay and established itself at Saarbrüch. It forthwith issued a proclamation to the inhabitants of the Basin in which it was said:

It is in the name of the League of Nations which established it that the Governing Commission will administer the territory of the Saar Basin and will exercise there all the powers formerly belonging to the German Empire, to Prussia and to Bavaria. It is determined to execute the clauses of the Treaty of Versailles strictly and to cause them to be observed by all, in letter as well as spirit. It regards as its first duty the meriting of the confidence of the population whose fate has been placed in its hands.

It is firmly resolved to maintain order and tranquillity throughout the whole extent of the Saar territory. Under its control the inhabitants will

conserve their local assemblies, their religious liberties, their associations, their schools and their language. Provisions will be made for the protection of their persons and their property.

The commission, mindful of its duty, will have to impose respect for its authority and repress without weakness all attempts, from whatever source, to disturb or mislead the population. The Treaty of Peace does not leave the commission disarmed: the rights conferred upon it will permit it to devote itself to its task without being embarrassed by unprofitable and criminal opposition.

Inspired by the principles which have actuated the constitution of the League of Nations, it is animated in respect to the population by the most liberal and benevolent sentiments. It will strive to restore wealth to the country and to bring calm to the spirit once more. It knows that a very long period of uncertainty has compromised worthy interests. It proposes to create a stable régime and to set up a regular administration of the territory.¹

ii. ADMISSION OF SWITZERLAND

The question of Switzerland's entrance into the League of Nations as an original member was one of the most important problems solved in the early days of the Council's existence. Switzerland occupies a position of natural and inevitable neutrality in the continent of Europe by reason of geography, race, language and political considerations. The question that she faced was, therefore, whether her neutrality was compatible with membership in the League; and, if not, whether neutrality or membership was to be preferred. Switzerland herself is as much if not more devoted to the cause of peace as any other state. She occupied a most difficult position with great credit to herself during the World War.

About the time the Principal Allied and Associated Powers began the study of the actual problem of the League of Nations the Swiss Peace Society, on October 24, 1917, petitioned the Federal Council to establish a consultative commission to "study the conditions under which Switzerland could enter such a federation." This suggestion was followed and in November, 1918, the commission had prepared a project embodying its ideas, which was formally submitted to the Federal Assembly by the Federal Council on February 11, 1919. The first draft of the

¹*Le Temps*, February 28, 1920.

Covenant was published February 14, and in the meeting five weeks later between the League of Nations Commission of the Interallied Peace Conference and representatives of neutral states, Switzerland made ten out of the 27 proposed amendments.

TENDER OF HOSPITALITY TO LEAGUE

Mr. Calonder, president of the Political Department of the Federal Council, that is, minister for foreign affairs, wrote to President Clemenceau of the Peace Conference and to the president of its League of Nations Commission in a letter dated March 22 as follows:

At the close of the semi-official conference called to learn the views of neutrals, Lord Robert Cecil declared that the States invited to this conference would be welcomed in the League of Nations.

I take this opportunity to inform you that Switzerland would consider it a great honor to be able to offer the hospitality of its territory in case the League of Nations should desire to establish its seat in our country.

The Swiss Government and people would be happy and eager thus to manifest their keen desire to collaborate in the work of world pacification undertaken by the authors of the pact. The political and humanitarian conditions of the Helvetian Confederation, its democratic institutions, its geographical position seem to recommend it to the choice of the conference over which you preside.

Now and in the future, I can assure you that the federal, cantonal and municipal authorities would be glad to offer the League all the facilities and advantages it might desire.¹

This suggestion was followed and the draft passed by the Peace Conference at its plenary session, April 28, named Geneva as the seat of the League. When the treaty was handed to the Germans on May 7, it contained an article respecting Switzerland, which was unchanged during the negotiations and appears in the treaty signed on June 28 as follows:

Article 435. The High Contracting Parties, while they recognize the guaranties stipulated by the Treaties of 1815, and especially by the Act of November 20, 1815, in favor of Switzerland, the said guaranties constituting international obligations for the maintenance of peace, declare nevertheless that the provisions of these treaties, conventions,

¹Annexe au Message du Conseil fédéral à l'Assemblée fédérale concernant la question de l'accession de la Suisse à la Société des nations, 223.

declarations and other supplementary Acts concerning the neutralized zone of Savoy, as laid down in paragraph 1 of Article 92 of the Final Act of the Congress of Vienna and in paragraph 2 of Article 3 of the Treaty of Paris of November 20, 1815, are no longer consistent with present conditions. For this reason the High Contracting Parties take note of the agreement reached between the French Government and the Swiss Government for the abrogation of the stipulations relating to this zone which are and remain abrogated.

The High Contracting Parties also agree that the stipulations of the Treaty of 1815 and of the other supplementary Acts concerning the free zones of Upper Savoy and the Gex district are no longer consistent with present conditions, and that it is for France and Switzerland to come to an agreement together with a view to settling between themselves the status of these territories under such conditions as shall be considered suitable by both countries.¹

The same text is Article 375 of the Treaty of Peace with Austria, signed September 10, 1919, and Article 291 of the Treaty with Bulgaria, signed November 27.

REPORT ON LEAGUE AND VOTE TO ACCEDE

The Federal Council sent a message to the Federal Assembly, August 4, 1919, which is a very extensive study and analysis of Switzerland's relations to the League. Accompanying this message was a project of law which contemplated that "a fourth chapter (League of Nations) will be added to the federal constitution of May 29, 1874." The Federal Assembly on November 21 voted the following decree:

The Federal Assembly of the Swiss Confederation, after having taken notice of a message from the Federal Council, dated August 4, 1919, stating that the perpetual neutrality of Switzerland, recognized notably by the Act of November 20, 1815, is considered, by Article 435 of the Peace Treaty concluded on June 28, 1919, by the Allied and Associated Powers and Germany, as an international engagement for the maintenance of peace, and that the perpetual neutrality of Switzerland must, in accordance with Article 21 of the pact of the League of Nations, not be considered as being incompatible with any of the provisions of the said pact; hoping

¹ On May 5, 1919, the Swiss Government sent a note to the French Government expressing its adherence to these terms. Proper observance of the terms respecting the zones created some difficulty during the war and the understanding in the article was based upon an exchange of notes in 1914.

that the present League of Nations will expand in a future not far distant in such a manner as to become universal, decrees:

Article 1. Switzerland accedes to the pact of the League of Nations adopted on April 28, 1919, by the Peace Conference assembled in Paris.

The provisions of the Federal Constitution concerning the promulgation of federal laws are applicable to the ratification of the amendments affecting said pact and to the approval of conventions of all kinds which have connection with the League of Nations.

The decisions relative to the denunciation of the pact or to withdrawal from the League of Nations must be submitted to vote of the people and the cantons.

Article 121 of the Federal Constitution concerning popular initiative also applies to decisions relative to the denunciation of the pact or to withdrawal from the League of Nations.

Article 2. The present federal decision shall be submitted to the vote of the people and the cantons as soon as the five great Powers shall have adhered to the pact.

Article 3. The Federal Council is charged with the execution of the present decree.

NEGOTIATIONS WITH THE POWERS

The Federal Council on December 6 sent an aide-mémoire to the so-called Supreme Council, transmitting the decree and expressing its opinion

that the vote of the Swiss people and cantons under the federal decree of November 21, 1919, which will be held as soon as circumstances permit, can not necessarily take place within the period provided by Article 1 of the Covenant of the League of Nations. It would be absolutely contrary to the constitutional customs of Switzerland to submit to the people a project of decree of which the juridic basis has not been established, the realization of the League of Nations depending upon the accession of all the states to which the Covenant accords a permanent representation on the Council of the League, on account of their special political importance.

A reply was given by France in the name of the Supreme Council on January 2, 1920. It was stated that the aide-mémoire "could not have a value as a declaration of accession." It was observed that a "declaration of accession subordinated to the result of a referendum could not be regarded as an accession without reservation." Switzerland was corrected in respect to her statement that the League would come into being only on

the ratification of the five principal Powers; the Supreme Council reminded her that the treaty would be in force on the deposit of the ratification of three of the principal Powers. The Swiss Government was inclined to await action by the United States and the Powers took this method of telling her that the United States was not to be counted on.

Switzerland replied with a memorandum of the Federal Council on January 13, and on January 28 the Conference of Ambassadors wrote that "it belongs to the Council of the League of Nations to pronounce concerning the observations presented by your Government." On January 30 the Federal Council sent a note to the Governments represented in the Conference of Ambassadors in which it announced that the Secretary-General of the League of Nations had been requested to put the question of Swiss admission to the League on the calendar of its next meeting.

LEAGUE'S COUNCIL HEARS REPORT

This was done and at the second meeting of the Council Mr. Balfour served as reporter on the subject. In his presentation he explained that, although there were technical difficulties in the way, it was the intention of the framers of the Covenant that it was in the highest interests of the League of Nations and its future working that Switzerland should be what Switzerland desired to be—namely, an original member of the League. Those difficulties were of two counts.

One touched upon the date of admission. A nation which desired to be accounted an original member must give in its adhesion within two months of treaty's coming into force, in other words, by March 10. The difficulty in that case was that the referendum required by the Swiss Constitution for dealing with matters of that sort might not be absolutely concluded by that date, although the representative body in Switzerland, the Federal Council, had quite distinctly and explicitly stated on behalf of those they represented that Switzerland desired to be a member of the League.

The other difficulty arose from the fact that the League of Nations had quite explicitly stated that the centuries-old neutrality of Switzerland was in the interests of peace, and was

therefore in conformity with the interest which it was the special business of the League of Nations to guard. On the other hand, complete neutrality in everything economic and military was clearly inconsistent with the position of a member of the League, and therefore at first sight there appeared to be some difficulty in connection with that. They were, however, clearly of opinion that Switzerland was prepared to accept conditions which would bring her within the conditions laid down substantially, if not formally, in the Covenant.

Therefore on that count also, as well as on the first count, they were of opinion that the difficulties which might conceivably be raised against the inclusion of Switzerland should be overruled by the Council, and they had overruled them accordingly.

LEAGUE COUNCIL VOTES RESOLUTION

The Council accepted this report and on February 13 adopted the following resolution¹:

The Council of the League of Nations, while affirming that the conception of neutrality of the members of the League is incompatible with the principle that all members will be obliged to co-operate in enforcing respect for their engagements, recognizes that Switzerland is in a unique situation, based on a tradition of several centuries which has been explicitly incorporated in the Law of Nations, and that the members of the League of Nations, signatories of the Treaty of Versailles, have rightly recognized by Article 435 that the guaranties stipulated in favor of Switzerland by the Treaties of 1815, and especially by the Act of November 20, 1815, constitute international engagements for the maintenance of peace.

The members of the League of Nations are entitled to expect that the Swiss people will not stand aside when the high principles of the League have to be defended. It is in this sense that the Council of the League has taken note of the declaration made by the Swiss Government in its message to the Federal Assembly of August 4, 1919, and in its Memorandum of January 13, 1920, which declarations have been confirmed by the Swiss delegates at the meeting of the Council,² and in accordance with which Switzerland recognizes and proclaims the duties of solidarity which membership of the League of Nations imposes upon her, including therein the duty of co-operating in such economic and financial measures as may be demanded by the League of Nations against a covenant-breaking State,

¹ League of Nations Official Journal, March, 1920, 5758.

² Gustave Ador, former president, and Max Huber, juriconsult.

and is prepared to make every sacrifice to defend her own territory under every circumstance, even during operations undertaken by the League of Nations, but will not be obliged to take part in any military action or to allow the passage of foreign troops or the preparation of military operations within her territory.

In accepting these declarations the Council recognizes that the perpetual neutrality of Switzerland and the guaranty of the inviolability of her territory as incorporated in the Law of Nations, particularly in the Treaties and in the Act of 1815, are justified by the interests of general peace, and as such are compatible with the Covenant.

In view of the special character of the Constitution of the Swiss Confederation, the Council of the League of Nations is of opinion that the notification of the Swiss declaration of accession to the League, based on the declaration of the Federal Assembly, and to be carried out within two months from January 10, 1920 (the date of the coming into force of the Covenant of the League of Nations), can be accepted by the other members of the League as the declaration required by Article 1 for admission as an original member, provided that confirmation of this declaration by the Swiss people and cantons be effected in the shortest possible time.

NOT TO WAIT LONGER FOR AMERICA

The Federal Council in a complementary message to the Federal Assembly took great satisfaction in reporting this complete solution of Switzerland's difficulties. It seems that Switzerland had sought to hold the popular vote only after the United States had decided to enter the League. In this message the Federal Council proposed that the vote be taken "without waiting until the United States had taken a definite decision." As this was a question likely to affect the vote, it was discussed at some length. The Federal Council stated that the United States would decide not to enter the League, or would enter it only after a relatively long time, or would enter it soon. The last hypothesis offered no difficulty. The first was considered as "extremely improbable." As to the hypothesis that the United States would enter only after a relatively long time, the Federal Council felt sure that "Switzerland could be assured of one day seeing her great American sister take her place in the Council of the League of Nations." But as respecting Switzerland's own question it added: "Whatever the deep sympathies and profound affinities which link the old Helvetic democracy and the trans-Atlantic democracy to-

gether, it would not seem to us very worthy for a state such as ours to place itself in any way in a position of total dependence and to follow so completely in the track of another state." Therefore, the Federal Council proposed to the Federal Assembly that the decree of November 21, 1919, should be amended so as to omit mention of the five great Powers, thus enabling the authorities to proceed with the popular vote regardless of the action of the United States. This was done.

The popular referendum on May 16 resulted in a decision to join the League.

iii. FREE CITY OF DANZIG

The Free City of Danzig is established by Articles 100-108 of the Treaty of Peace with Germany, the Principal Allied and Associated Powers undertaking to establish the town "as a Free City." The Treaty continues: "It will be placed under the protection of the League of Nations."

A commission for the purpose of delimiting the frontier of the territory is stipulated by the Treaty to be constituted within 15 days of its coming into force. This commission, appointed by the Principal Allied and Associated Powers, includes a high commissioner as president, one member appointed by Germany and one member appointed by Poland. Owing to the insistence of Danzig, it was actually appointed several months before the treaty came into force. Sir Reginald Tower, formerly British minister to Argentina and Paraguay, was provisionally appointed high commissioner.

With this exception, all matters of government of the Free City are under the protection of the League of Nations.

At the second meeting of the Council of the League, on February 13, Paul Hymans, sitting for Belgium, moved a resolution concerning the high commissioner of the League of Nations at Danzig. Article 102 of the Treaty of Versailles laid down that the City of Danzig shall be established as a Free City to be placed under the protection of the League of Nations and Article 103 that the constitution drawn up by the duly appointed representatives of the Free City in agreement with a high commissioner to be appointed by the League should be placed under the guaranty of the League. M. Hymans explained that the high

commissioner of the League would also be intrusted with the duty of dealing in the first instance with all differences arising between Poland and the Free City of Danzig in regard to the Peace Treaty or any arrangements or agreements made thereunder.

The Council resolved, on the motion of M. Hymans, that Sir Reginald Tower be appointed high commissioner of the League of Nations at Danzig and be invited to submit in due time the constitution of the Free City of Danzig to the approval of the League in order that the constitution might be placed under the guaranty thereof.

The administration of Danzig was on the program of the fourth meeting of the Council, the report being read by Señor Quiñones de Leon, the representative of Spain, on April 12. Sir Reginald Tower as high commissioner had presented to the Council proposals relating to the elections preliminary to drawing up the constitution of the Free City. Señor Quiñones de Leon reported that the proposals of the high commissioner respecting elections should be accepted without delay. After listening to the report in detail the Council sent the following telegram to Sir Reginald Tower:

The Council of the League of Nations has just examined the proposals appended to your letter of March 18 for the elections of the representatives of the Free City of Danzig referred to in Article 103 of the Treaty of Versailles, June 28, 1919. On account of the urgency of these elections, the Council did not desire to raise questions which either required a knowledge of the local situation or the examination of technical details. In the opinion of the Council, the proposals presented seem to fulfill in general the conditions laid down by the Council in its resolution of February 13, 1920. The elections may take place in conformity with these propositions.

The Council has declared that the adoption of these proposals for the present elections are not to constitute a precedent for the decisions which the constituent assembly of Danzig or the Council of the League of Nations may subsequently have to take regarding the articles to be inserted in the constitution of Danzig on the subject of elections.¹

THE PROBLEMS OF DANZIG

As the Free City is rather an experiment in modern international relations, some facts concerning it may be in order. The territory of the Free City on October 8, 1919, contained 351,380

¹*Le Temps*, April 13, 1920.

persons, excluding German military persons who subsequently left. The territory contains 325 localities, there being 251 rural communes, 69 estate districts and five cities. The administrative district of Danzig had a population of 194,953. The number of households in the territory was 82,798. The Free City has a boundary line 147 miles long, of which 35 is maritime.

Two problems have been concerning the citizens of Danzig since the treaty came into force.

One was the extension of territory, held to be necessary to assure the food supply. The press has also conducted an active campaign to prevent the final boundary from cutting villages and communes in two, as the boundary provided by the treaty does. Two places in particular are desired by Danzig. Dirschau, which now belongs to Poland, is an important railroad center on Danzig's main line of communication with Berlin. It is also the center of the principal farming districts near the Free City, between the Vistula and the Nogat. Hela, a small fishing village on the point of land to the north of Danzig, was recently occupied by the Poles; but it is claimed to be of special importance to Danzig because its lighthouse makes it virtually a part of the port, while it is claimed that unless Danzig plants trees on the point, the harbor will become choked with sand.

The other problem confronting the citizens is that of currency. They do not know whether to use German or Polish money or that of one of the great Powers or a coinage of their own. The present currency is German and some Danzigers fear the effect of their own values following the fluctuations of the German mark. Polish money has not yet been put on a stable basis. An independent currency offers a good many technical difficulties, while conditions of exchange present real difficulties if the currency of one of the great Powers is adopted. Danzig business men seem to favor the German currency for a time.

The population of the Free City was on food rations in the spring of 1920, the weekly ration for February 7 being 1850 grams of bread, 100 grams of meat, 3 pounds of potatoes, 250 grams of grits, one soup tablet, five broth cubes, 125 grams of margarine and 250 grams of beans. Other food products were not rationed, and prices were relatively cheap.¹

¹ Commerce Reports, April 10, 1920, 200-207.

Danzig is at present connected with Poland by three main railroad lines. The Danzig-Warsaw line runs via Dirschau, Marienwerder and Mlawa, with a length of about 205 miles; the Danzig-Lodz line runs via Dirschau, Bromberg, Thorn and Lowicz, with a length of 264 miles; and the Danzig-Posen line via Dirschau and Gnesen, with a length of some 200 miles. Poland is contemplating building other lines to connect with the Free City and the latter is anxious to undertake construction in the Werder district between the Vistula and the Nogat, which produces a considerable amount of surplus food, formerly shipped southward into territory that does not belong to the Free City.¹

The high commissioner has issued an ordinance covering the use of the Danzig merchant flag, effective March 20. The flag is a red field one and a half times as long as it is wide and shows two white crosses, one above the other, each surmounted by a yellow crown, and together occupying the third of the field next to the staff, with which they are parallel. This flag will be used exclusively by merchant vessels, including pilot, fishing, salvage and tug boats, which were the property of persons who on January 10, 1920, were domiciled in the Free City territory and were German nationals. Merchant vessels entered in the registry of the Danzig district court are authorized to fly the Danzig flag, provided that a majority of the shares belong to persons or companies fulfilling requirements as to domicile of the usual character and provided that the ship's husband was domiciled in Free City territory on January 10, 1920, and was a German national. The German law of June 22, 1899, governing the use of the flag by merchant vessels was made generally applicable until it shall be modified by Danzig legislation.²

IV. PERMANENT COURT OF INTERNATIONAL JUSTICE

Article 14 of the Covenant provides that "the Council shall formulate and submit to the members of the League for adoption plans for the establishment of a Permanent Court of International Justice."

No question excited greater interest among the workers for peace during the pre-war and the war periods than that of a

¹ Commerce Reports, May 5, 1920.

² Commerce Reports, April 30, 1920.

permanent court of justice. Arbitration had been extensively practised during the 19th century, and at its close the Emperor of Russia proposed a peace conference in which according to the suggested program there was to be "acceptance, in principle, of the use of good offices, mediation, and voluntary arbitration, in cases where they are available, with the purpose of preventing armed conflicts between nations; understanding in relation to their mode of application and establishment of a uniform practice in employing them."

When the First Hague Conference opened and the project on this part of the program was introduced, Sir Julian Pauncefote criticised it and said: "If we desire to take a step in advance, I am of the opinion that it is absolutely necessary to organize a permanent international tribunal which may be convened on a moment's notice at the request of the contesting nations." Feodor Martens, the Russian juriconsult, rushed two draft articles providing for the organization of a court of arbitration to the tribune before the session closed. Later Sir Julian Pauncefote himself presented a project, and still later an American draft, which had been incorporated in the instructions to the American delegation, was laid before the conference. With these as a basis, the conference worked out Articles 20-29 of the convention of 1899 for the pacific settlement of international disputes.

THE HAGUE COURT THAT NOW EXISTS

By these articles the Court was "competent for all arbitration cases unless the parties agree to institute a special tribunal." Each signatory Power selected four persons whose names were "inscribed, as members of the Court, in a list which will be notified by the bureau to all the signatory Powers." When a difference arose, "the arbitrators called upon to form the competent tribunal to decide this difference must be chosen from the general list of members of the Court." This Court was duly formed April 9, 1901, and up to the present time it has decided 15 cases. It is proper also to observe that this Court has neither been put out of business by the World War nor relegated by the Covenant. Three cases are pending before it now. Article 13 of the Covenant provides that for the consideration of any dispute generally suitable

for submission to arbitration "the court of arbitration to which the case is referred shall be the court agreed on by the parties to the dispute or stipulated in any convention existing between them." The majority of the 200 arbitration treaties in force provide—to quote from the Franco-American treaty of February 10, 1908, which is a standard text of 28 such American treaties—that differences submissible under it "shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899."¹

Though recognized as a great advance over what had existed, the Hague Court was obviously susceptible of improvement. Elihu Root as secretary of state of the United States in his instructions to the American delegates to the Second Hague Conference, writing under date of May 31, 1907, said: "If there could be a tribunal which would pass upon questions between nations with the same impartial and impersonal judgment that the Supreme Court of the United States gives to questions arising between citizens of the different states, or between foreign citizens and the citizens of the United States, there can be no doubt that nations would be much more ready to submit their controversies to its decision than they are now to take the chances of arbitration. It should be your effort to bring about in the Second Conference a development of the Hague Tribunal into a permanent tribunal composed of judges who are judicial officers and nothing else, who are paid adequate salaries, who have no other occupation, and who will devote their entire time to the trial and decision of international causes by judicial methods and under a sense of judicial responsibility. These judges should be so selected from the different countries that the different systems of law and procedure and the principal languages shall be fairly represented."

In accordance with these instructions, the American delegates succeeded in bringing the matter before the conference, but the 44 states represented failed to agree upon a method for selecting a court of some 15 judges from thrice as many states with perfect equality to all. The draft convention was, however, made an official

¹ For details concerning arbitration treaties, see Denys P. Myers, *Arbitration Engagements now existing in Treaties, Treaty Provisions and National Constitutions* (World Peace Foundation Pamphlet Series, V, No. 5, Part III).

part of the Final Act of 1907, and the subject was again upon the program of the Third Hague Conference, which was due to be held in 1915.

PEACE CONFEREES REFER PROBLEM TO LEAGUE

In view of the difficulties encountered in attempting to organize a court in 1907 and the failure to solve the problem in the interval, the framers of the Covenant believed it was impracticable for them to dictate an answer to a problem which so nearly affected the sovereign powers of member states. Moreover, states neutral respecting the war had been among the leading exponents of the court, and had been especially active in working for its realization and in studying its problem; it would have been both unfair and injurious to the effort to secure the best solution if the Interallied Peace Conference had foreclosed their interest in the matter. The negotiators therefore provided for its solution by the League when organized. The organization committee of the League, appointed on April 28, 1919, gave early and careful attention to the subject and made the suggestion that the matter should first be studied by a committee of eminent international jurists.

Léon Bourgeois, sitting for France, presented the report on the organization of a permanent Court of International Justice at the second meeting of the Council on February 13. He said:

"Like the individuals who make up the states they belong to, the League of Nations can exist only by scrupulously respecting the rights of every one of its members. Its aim is to establish the reign of justice in a world convulsed by the most murderous of wars; it must be founded on justice. If justice is to reign, it must have a permanent instrument, a visible interpreter to make clear its existence in the eyes of the nations, and fortify their weakness, so often defenseless, with the arm of its own strong, impartial and supreme authority.

"Private individuals, to whatever party they may belong, know where to find judges ready to hear their complaints, and to settle as the law requires who will resolve the differences which divide them. Besides and beyond these national courts whose duty it is to administer the laws of each state within the limits of its territorial jurisdiction, there is room for an international tribunal

intrusted with the lofty task of administering international law and of enforcing between nations that principle of securing to each man what is his own, which is the law of human intercourse. This will be the Permanent Court of International Justice, whose essential and early establishment was provided for by the Covenant of the League of Nations, though the task of bringing it into being was left to the Council.

“‘The Council,’ runs Article 14 of the Covenant, ‘shall formulate and submit to the members of the League plans for the establishment of a Permanent Court of International Justice. This Court shall deal with all international disputes submitted to it by the parties concerned. It will also give its advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.’

IMMEDIATE ORGANIZATION REQUIRED

“This Court of Justice which is about to be established, whose general jurisdiction has thus been briefly described, has already been invested with certain definite powers by the Peace Treaty of Versailles and the other treaties modeled upon it. Articles 336, 337 and 386, for instance, of the Treaty of Versailles intrust to the tribunal set up by the League of Nations the investigation and solution of various problems concerning international waterways. Articles 415 to 420 and 423, on the organization of labor, bring within the jurisdiction of the Court a charge more notable still. To give full effect to these powers, and curtail these temporary measures of accepted urgency (see Articles 425 and 426), it is essential that the organization of the Permanent Court of International Justice should be dealt with without delay. That is why the Council has been summoned to study this problem at its meeting in London.”

M. Bourgeois detailed points on which agreement had been easy at the Second Hague Peace Conference regarding the creation of the Permanent Court, and said it was not so, however, when it came to deciding how the members of the Court should be appointed.

“The number of judges,” he said, “had necessarily to be restricted, and there could be no question of giving a representative to each of the 44 states which had taken part in the work of the

conference. But how was a choice to be made between Powers of equal sovereignty, equally jealous of their prerogatives? Should the selected judges, to the number of, say, 15 or 17, be chosen for their ability and without distinction of nationality by the General Assembly of the Court of Arbitration, or by the representatives of the states? Should they be drawn by lot, for each case, from among representatives nominated by each one of the 44 states invited to the Conference? Would a rotation roll be possible, as was proposed by the United States and decided for the International Prize Court, each of the great Powers to have a permanent judge, while the others would have a judge only for a number of years commensurate with their importance?

“On this question, which threatened the very principle of the legal equality of nations, the conference could arrive at no satisfactory conclusion; it therefore gave up the idea of itself organizing the court which it essentially approved, and contented itself with inserting in the final report of its labors a simple hope expressed in these words: ‘The Conference recommends to the signatory Powers the adoption of the annexed convention and scheme for the establishment of a Court of Justice by Arbitration and for its putting into force as soon as an agreement has been reached on the nomination of judges and the constitution of the court.’

“It is for the League of Nations, outcome of the war of nations, to-day to realize this hope to which the Institute of International Law subscribed at its meetings at Christiania in 1912. Moreover, circumstances are singularly favorable for its immediate realization. From all parts of the devastated and tormented world goes up a cry and a demand for justice. The military and moral unity which for five years held the free peoples together, and concentrated their efforts to defend the right, must survive our victory; it could not find nobler expression or a more splendid symbol than in the establishment, at last recognized as possible, of a Permanent Court of International Justice. This instrument of the League of Nations, this Court, however it be composed, will be set free from all national preoccupations, for the exercise of its sovereign jurisdiction and the Council’s intervention in the choice of its members, nay even that of the Assembly of the League, will be calculated to remove all anxieties and to guarantee against all attack the guardian principle of the equality of nations.

COMMITTEE OF JURISTS APPOINTED

"It appears to us that the study of the principal problems of our mandate might usefully be intrusted to a commission of legal experts, whose conclusions would be brought up and discussed at one of our next meetings. The duty assigned to our devoted collaborators will be made easier by the extensive researches inspired in various countries by the unfinished work of The Hague. The reports at the Conference to which the problems of the composition and procedure of the Permanent Court often gave rise in 1907, will form the natural point of departure for their inquiry. And this inquiry will leave them to plan for us a scheme designed to satisfy absolute justice, to conciliate the legitimate interests of nations, to crown in the happiest manner possible the evolution of centuries whose laborious history we have related."

M. Bourgeois then proposed that the Committee to report on the Permanent Court of International Justice should consist of the following international jurists, whose names he read:

Satsuo Akidzuki, formerly Japanese ambassador to Vienna, one of the legal advisers of the Japanese Peace Delegation in Paris.

Rafael Altamira, professor of law in Madrid University, senator.

Clovis Bevilacqua, professor of law and legal adviser to the minister of foreign affairs, Brazil.

Baron Descamps, Belgian minister of state.

Luis Maria Drago, formerly foreign minister, Argentine Republic.

Carlo Fadda, professor of Roman law at Naples University.

Henri Fromageot, legal adviser to the French Foreign Ministry.

Gregers W. W. Gram, former member of the Supreme Court of Norway.

Baron Loder, member of the Cour de Cassation of the Netherlands.

Lord Phillimore, English Privy Councillor, Lord Justice of Appeal, 1913-1916, president of Committee of Inquiry appointed by the British Government on the subject of the League of Nations.

Elihu Root, former secretary of state, United States, president of the American Society of International Law.

Milenko R. Vesnich, ambassador extraordinary and minister plenipotentiary of the Serb-Croat-Slovene State at Paris.

Mr. Balfour then, from the chair, formally moved that those gentlemen be invited to form the committee to prepare the plans for the Court, and the proposal was carried.

ROOT WITH COMMITTEE IN JUNE

Mr. Balfour remarked that it would not have escaped notice that the list included the distinguished name of Mr. Root, the well-known American publicist. "It may be," said Mr. Balfour, "that for one reason or another Mr. Root will not find it possible immediately to accept, but the Council formally put on record that Mr. Root will always be welcome at whatever stage of our proceedings he feels it within his power to add to our deliberations the great weight of his learning and his name."

The members of the committee appointed have all accepted and will hold their first meeting in Europe in June. Several of them are known to have plans for the constitution of the Permanent Court, while other projects will be forthcoming. In February the Government of the Netherlands invited representatives of Switzerland, Denmark, Norway and Sweden to meet with its own representatives in the Peace Palace at The Hague to consider plans for such a Court. Each state presented its own plan and these were co-ordinated into a single draft for presentation to the Secretary-General of the League. Its salient features are:

Complete equality of states in the nomination of members of the court.

The court must be free from every political influence, the judges being independent in their actions of the influence even of the Governments which appointed them.

The law faculties of universities to be consulted in the selections for membership.

The nominations of judges to be for nine years or for life; the judges must live in the city selected as the permanent site of the court.

Salaries and costs to be shared equally by the members of the League. States not members of the League to be permitted to participate in the court's benefits, appearing as plaintiffs or defendants.

The interests of private persons to be tried only in so far as their state takes over their claims.

The court only to decide cases of an international legal character.

The general procedure to follow the plan approved by the Second Peace Conference of 1907.

Each party in a suit to pay his own expenses.

V. INTERNATIONAL FINANCIAL CONFERENCE

On January 15, 1920, the Governments of the United States, France, Great Britain, Denmark, the Netherlands, Norway,

Sweden and Switzerland received a memorial¹ from groups of very prominent citizens in the respective countries. This memorial had been prepared on the initiative of Dutch citizens and dealt specifically and in detail with the elements of the current financial crisis, pointing out the necessity for common action as the sole means of remedying the existing condition.

The simultaneous presentation of such a memorandum to eight Governments by distinguished citizens would have been an event in itself; but the presentation of this memorial has been given added importance by reason of the fact that it started the train of circumstances which has caused the Council of the League of Nations to call an International Financial Conference in accordance with the suggestion of the memorial. In other words, the memorial of private citizens resulted in the Council of the League of Nations taking up within a month of its birth one of the most pressing of world problems with a view to seeking its solution.

The memorial presented to the British Government was referred to the chancellor of the exchequer for study. He met the British memorialists on February 3, and on February 11 wrote to them² that under specified circumstances "his Majesty's Government will be prepared to appoint representatives if invited to do so by one of the neutral countries, or by the League of Nations, on being satisfied that the conference will assume a really representative character."

The Supreme Economic Council in session at Paris on February 8 had passed the following resolution:

The Supreme Economic Council has examined the general financial situation resulting from the crisis in exchange and expresses the opinion that the four competent ministers of France, Great Britain, Italy and Belgium should meet shortly to study the possibility of common measures destined to remedy this crisis.

To give an idea of what actually concerned the memorialists, the British Government and the Supreme Economic Council at that time it may be stated that the English pound sterling, which has a normal dollar value of \$4.867, then had a value of about \$3.37 on the New York exchange. The pound sterling was less

¹See text of this memorial, below, pages 76-82.

²See full text of letter, below, pages 82-86.

affected than other European moneys and, as the Europeans were chiefly concerned with their own trade, some comparisons of foreign moneys on the London exchange may be cited. There are normally 25 francs to the English pound; the quotation was above 48. The Italian lira is of the same value; the quotation was 61; the Belgian franc, 47; the Spanish peseta, 19, and the Finnish markkaa ran 82 to the pound. The German mark normally stands at 20.5 to the pound; Berlin exchange ran above 335 per pound. The Austrian krone has a normal value of 24 to the pound, but it required a thousand of them to match the English unit.

COUNCIL VOTES TO CONVENE CONFERENCE

This situation and the documents were so fresh in the minds of the members of the Council of the League at their second meeting on February 11-13 that it was decided to consider what could be done, even though the question itself was not upon the formal program of business. After discussions in private by members of the Council, Mr. Balfour on February 13 referred to the financial crisis, and said that everybody who had studied this question, and, indeed, most people whether they had studied the question or not, were only too painfully aware of the difficult position in which Europe found itself at present owing to the financial difficulties in which so many of its constituent nations were involved, and the difficulties which exchange imposed upon the healthy readjustment of trade and the return to the normal economic conditions. Under those circumstances the Council of the League, he said, had taken note of a published declaration of the British Chancellor of the Exchequer, dated February 11, on the subject of the possible participation of Great Britain in an International Conference on the subject of the world-wide financial exchange crisis, and they had decided as follows:

Article 1. The Council of the League of Nations shall convene an International Conference with a view to studying the financial crisis and to look for the means of remedying it and of mitigating the dangerous consequences arising from it.

Article 2. A commission composed of members of the Council nominated by the President is instructed to summon the States chiefly concerned to this Conference, and to convene it at the earliest possible date.

TWENTY-FIVE STATES INVITED

Invitations to the conference to be held at Brussels the last of May were sent out on April 15 to the following 25 states:

Argentine Re-	France,	Portugal,
public,	Greece,	Rumania,
Australia,	Holland,	Serb-Croat-Slovene
Belgium,	India,	State,
Brazil,	Italy,	South Africa,
Canada,	Japan,	Spain,
Chile,	New Zealand,	Sweden,
Czecho-Slovakia,	Norway,	Switzerland,
Denmark,	Poland,	United Kingdom.

The letter of invitation explained that other states, members of the League, will be invited to send to the Council, as soon as possible, any proposals which they would like to have considered by the conference. The Council of the League was informing the United States Government—which is not a member—of the proposed conference, and inviting them to send representatives to the conference or to be associated with the work of the conference. The Council might invite states not included in the above list, that is, Germany and Austria, to communicate to the conference full information regarding their financial and economic situation, and, if necessary, it would decide under what conditions these states might be heard.

In order to facilitate the preparations for the conference, the different Governments were asked to forward to the Secretary-General, as soon as possible, any suggestion for dealing with the present financial difficulties which it might desire to submit to the conference, together with a statement indicating any steps it may have taken for dealing with the situation. It was suggested that the general expenses in connection with the organization of the conference should be met by the League of Nations, and the expenses and salaries of the delegations by their respective Governments.

The Governments of the different countries invited to the conference are asked to send not more than three delegates conversant with public finance and banking as well as with general

economic questions; the names of the delegates to be notified to the Secretary-General of the League of Nations. The Council will nominate the President of the conference and will supply the necessary personnel for the secretariat. The exact date of the meeting would be announced by the Secretary-General later.

The Council will insure that all the members of the League are kept fully informed of the proceedings of the conference. A report containing the conclusions reached by the conference and any observations which the nations not taking part in the conference may desire to transmit will be presented to the Assembly of the League.

UNITED STATES ASKED TO PARTICIPATE

The invitation to the United States is in the following terms:

The Secretary-General of the League of Nations is instructed by the Council of the League of Nations to communicate to the United States Government the text of an invitation to an International Financial Conference, which the Council is addressing to the states, members of the League of Nations.

The world is at this moment in a condition of economic and financial disorder, with results which are at present so serious and may in the future become so dangerous that the League of Nations can not ignore them without failing in its most essential duties.

In taking the initiative of convening a Financial Conference to meet at Brussels within the next few weeks, the Council of the League fully realizes the difficulty of the problem under consideration, and it does not ask the conference for a complete solution. It desires that the present situation should be discussed from an international point of view; and the delegates meeting at Brussels will be invited to conduct the debate on a higher plane than the mere consideration of the special problems and interests of each state.

The purpose of the Conference is not to recast the economic system of the world, but to obtain suggestions for its improvement by the impartial examination of the present situation and the formulation of practical conclusions by the best qualified experts in each country.

Recognizing the economic and financial importance of the United States, the Council of the League of Nations expresses the earnest hope that the United States Government will wish to avail itself of the opportunity of the United States being represented at the conference, or of being associated with its work.

A memorandum issued by the League of Nations on the program of the conference says:

It is evident that direct loans granted by Governments will play only a secondary rôle in the financial reconstruction of Europe, except in the measure in which they have already been voted by the British Parliament and the American Congress to aid certain countries. During the last two months they have been forced to face this fact when they have studied the problem of the restoration of their credit, and the conference will concern itself before all in seeking to find how normal credit can be re-established. In sum, the conference, which will be essentially a European conference, will try to find a solution of the difficulties of Europe.

MEMORIAL PRESENTED BY CITIZENS OF THE UNITED STATES, THE UNITED KINGDOM, FRANCE, THE NETHERLANDS, SWITZERLAND, SWEDEN, DENMARK AND NORWAY TO THEIR RESPECTIVE GOVERNMENTS ON JANUARY 14-15, 1920

The undersigned individuals beg leave to lay before their Governments a proposal that the Governments of the countries chiefly concerned, which should include the United States, the United Kingdom and the British Dominions, France, Belgium, Italy, Japan, Germany, Austria, the neutral countries of Europe and the chief exporting countries of South America, should be invited forthwith (the matter being of the greatest urgency) to convene a meeting of financial representatives, for the purpose of examining the situation, briefly set forth below, and to recommend, in the event of their deciding that co-operative assistance is necessary and advisable, to whom and by whom assistance should be given and on what general conditions.¹

They venture to add to the above recommendation the following observations:

- The war has left to conqueror and conquered alike the problem of find-

¹The American preamble reads:

"The undersigned individuals beg leave to lay before their Government, the Reparations Commission and the Chamber of Commerce of the United States the following observations and to recommend that the Chamber of Commerce of the United States designate representatives of commerce and finance to meet forthwith (the matter being of the greatest urgency) with those of other countries chiefly concerned, which should include the United Kingdom and the British dominions, France, Belgium, Italy, Japan, Germany, Austria, other neutral countries of Europe, the United States and the chief exporting countries of South America, for the purpose of examining the situation briefly set forth below and to recommend upon the basis of authentic information what action in the various countries is advisable among the peoples interested in reviving and maintaining international commerce."

ing means effectively to arrest and counteract the continuous growth in the volume of outstanding money and of Government obligations, and its concomitant, the constant increase of prices. A decrease of excessive consumption and an increase of production and taxation are recognized as the most hopeful—if not the only—remedies. Unless they are promptly applied, the depreciation of money, it is to be feared, will continue, wiping out the savings of the past and leading to a gradual but persistent spreading of bankruptcy and anarchy in Europe.

There can be no social or economic future for any country which adopts a permanent policy of meeting its current expenditure by a continuous inflation of its circulations, and by increasing its interest-bearing debts without a corresponding increase of its tangible assets. In practice every country will have to be treated after careful study and with regard to its individual conditions and requirements. No country, however, is deserving of credit, nor can it be considered a solvent debtor, whose obligations we may treat as items of actual value in formulating our plans for the future, that will not or can not bring its current expenditure within the compass of its receipts from taxation and other regular income. This principle must be clearly brought home to the peoples of all countries; for it will be impossible otherwise to arouse them from a dream of false hopes and illusions to the recognition of hard facts.

GERMANY'S AND AUSTRIA'S BURDENS

It is evident that Germany and Austria will have to bear a heavier load than their conquerors, and that, in conformity with the Treaty of Peace, they must bear the largest possible burden they may safely assume. But care will have to be taken that this burden does not exceed the measure of the highest practicable taxation, and that it does not destroy the power of production, which forms the very source of effective taxation. For the sake of their creditors and for the sake of the world, whose future social and economic development is involved, Germany and Austria must not be rendered bankrupt. If, for instance, upon close examination, the Commission des Réparations finds that, even with the most drastic plan of taxation of property, income, trade, and consumption, the sums that these countries will be able to contribute immediately toward the current expenses of their creditors will not reach the obligations now stipulated, then the Commission might be expected to take the view that the scope of the annual contribution must be brought within the limits within which solvency can be preserved, even though it might be necessary for that purpose to extend the period of instalments. The load of the burden, and the period during which it is to be borne, must not, however, exceed certain bounds; it must not bring about so drastic a lowering of the standard of

living that a willingness to pay a just debt is converted into a spirit of despair and revolt.

It is also true that among the victorious countries there are some whose economic condition is exceedingly grave, and who will have to reach the limits of their taxing powers. It appears, therefore, to the undersigned, that the position of these countries, too, should be examined from the same point of view of keeping taxation within the power of endurance, and within a scope that will not be conducive to financial chaos and social unrest.

The world's balance of indebtedness has been upset and has become top-heavy and one-sided. Is it not necessary to free the world's balance-sheet from some of the fictitious items which now inflate it, and lead to fear or despair on the part of some and to recklessness on the part of others? Would not a deflation of the world's balance-sheet be the first step toward a cure?¹

When once the expenditure of the various European countries has been brought within their taxable capacity (which should be a first condition of granting them further assistance), and when the burdens of indebtedness, as between the different nations, have been brought within the limits of endurance, the problem arises as to how these countries are to be furnished with the working capital necessary for them to purchase the imports required for restarting the circle of exchange, to restore their productivity, and to reorganize their currencies.

The signatories submit that, while much can be done through normal banking channels, the working capital needed is too large in amount and is required too quickly for such channels to be adequate. They are of opinion, therefore, that a more comprehensive scheme is necessary. It is not a question of affording aid to a single country, or even a single group of countries which were allied in the war. The interests of the whole of Europe, and indeed of the whole world, are at stake.

SUGGESTED METHODS OF CO-OPERATION

It is not our intention to suggest in detail the method by which such international co-operation in the grant of credit may be secured. But we allow ourselves the following observations:

1. The greater part of the funds must necessarily be supplied by those countries where the trade balance and the exchanges are favorable.
2. Long-term foreign credit, such as is here contemplated, is only desirable in so far as it is absolutely necessary to restore productive processes.

¹This paragraph omitted from the American memorial.

It is not a substitute for those efforts and sacrifices on the part of each country by which alone they can solve their internal problem. It is only by the real economic conditions pressing severely, as they must, on the individual that equilibrium can be restored.

3. For this reason, and also because of the great demands on capital for their own internal purposes in the lending countries themselves, the credit supplied should be reduced to the minimum absolutely necessary.

4. Assistance should as far as possible be given in a form which leaves national and international trade free from the restrictive control of Governments.

5. Any scheme should encourage to the greatest extent possible the supply of credit and the development of trade through normal channels.

6. In so far as it proves possible to issue loans to the public in the lending countries, these loans must be on such terms as will attract the real savings of the individual; otherwise inflation would be increased.

7. The borrowing countries would have to provide the best obtainable security. For this purpose it should be agreed that:

a. Such loans should rank in front of all other indebtedness whatsoever, whether ~~in~~ internal debt, reparation payments, or interallied governmental debt.

b. Social security should be set aside by the borrowing countries as a guaranty for the payment of interest and amortization the character of such security varying perhaps from country to country, but including in the case of Germany and the new states the assignment of import and export duties payable on a gold basis, and in the case of states entitled to receipts from Germany, a first charge on such receipts.

The outlook at present is dark. No greater task is before us now than to devise means by which some measure of hopefulness will re-enter the minds of the masses. The re-establishment of a willingness to work and to save, of incentives to the highest individual effort and of opportunities for every one to enjoy a reasonable share of the fruit of his exertions must be the aim toward which the best minds in all countries should co-operate. Only if we recognize that the time has now come when all countries must help one another can we hope to bring about an atmosphere in which we can look forward to the restoration of normal conditions and to the end of our present evils.

In conclusion the signatories desire to reiterate their conviction as to the very grave urgency of these questions in point of time. Every month which passes will aggravate the problem and render its eventual solution

increasingly difficult. All the information at their disposal convinces them that very critical days for Europe are now imminent and that no time must be lost if catastrophes are to be averted.

UNITED STATES

EDWARD A. ALDERMAN, FRANK B. ANDERSON, JULIUS H. BARNES, ROBERT S. BROOKINGS, EMORY W. CLARK, CLEVELAND H. DODGE, CHARLES W. ELIOT, HERBERT FLEISCHACKER, JAMES B. FORGAN, ARTHUR T. HADLEY, R. S. HAWKES, A. BARTON HEPBURN, MYRON T. HERRICK, L. W. HILL, HERBERT HOOVER, H. P. JUDSON, DARWIN P. KINGSLEY, GEORGE H. MCFADDEN, ALFRED E. MARLING, A. W. MELLEN, O. L. MILLS, J. P. MORGAN, WILLIAM FELLOWES MORGAN, F. H. RAWSON, SAMUEL REA, GEORGE M. REYNOLDS, R. G. RHETT, ELIHU ROOT, LEVI L. RUE, CHARLES H. SABIN, JACOB H. SCHIFF, E. R. A. SELIGMAN, JOHN P. SHEDD, JOHN H. SUMMERLIN, JAMES H. STILLMAN, HENRY SUZALLO, WILLIAM H. TAFT, F. W. TAUSSIG, FRANK A. VANDERLIP, FESTUS J. WADE, PAUL M. WARBURG, S. V. WATTS, HARRY A. WHEELER, and DANIEL WILLARD.

UNITED KINGDOM

CHARLES S. ADDIS, chairman, Hongkong & Shanghai Bank Corporation, director, Bank of England; H. H. ASQUITH, formerly prime minister; R. H. BRAND, formerly chairman of Supreme Economic Council; JOHN R. CLYNES, leader of Labor Party; F. C. GOODENOUGH; EDWARD C. GRENFELL, senior partner, Morgan, Grenfell & Co., director, Bank of England; LORD INCHCAPE, chairman, National Provincial and Union Bank, chairman, P. & O. Steam Navigating Company; R. M. KINDERSLEY, chairman, National Savings Commission, director, Bank of England, partner, Lazard Bros.; WALTER LEAF, chairman, London City & Westminster Bank; REGINALD MCKENNA, chairman, London Joint City & Midland Bank; DONALD MACLEAN, leader, Liberal Party in House of Commons; J. H. THOMAS, leader of Labor Party; RICHARD VASSAR SMITH, chairman of Lloyd's Bank.

NETHERLANDS

DR. G. VISSERING, president of the Bank of the Netherlands; C. E. TER MUELEN, banker, member of the firm of Hope and Co.; J. VAN VOLLENHOVEN, manager of the Bank of the Netherlands; JONKHEER DR. A. P. C. VAN KARNEBEEK, minister of state, president of the Carnegie Foundation; J. J. G. BARON VAN VOORST TOT VORST, president of the First Chamber of Parliament; DR. D. FOCK, president of the Second Chamber

of Parliament; **JONKHEER DR. W. H. DE SAVORNIN LOHMAN**, president of the High Court of Justice; **A. W. F. IDENBURG**, formerly governor-general of the Dutch East Indies, formerly minister of colonies; **S. P. VAN EEGHEN**, president of the Amsterdam Chamber of Commerce; **E. P. DE MONCHY**, president of the Rotterdam Chamber of Commerce; **C. J. K. VAN AALST**, president of the Amsterdam Bankers' Association; **G. H. HINTZEN**, banker, member of the firm of R. Mees and Zoonen, Rotterdam; **F. M. WIBAUT**, Socialistic alderman of Amsterdam; **G. M. BOISSEVAIN**, economist; **E. Heldring**, manager of the Royal Dutch Steamship Company; **PROF. DR. G. W. J. BRUINS**.

DENMARK

C. C. ANDERSEN, chairman of the Socialist Party in the Landsting (Upper House); **F. I. BORGBJERG**, member of the Committee of the Social Group of the Rigsdag (Parliament); **I. C. CHRISTENSEN**, chairman of the Venstre (Liberal) Party of the Folketing (Lower House); **C. C. KLAUSEN**, chairman of the Merchants' Association; **C. M. T. COLD**, chairman of the Danish Steamship Owners' Society; **A. Voss**, chairman of the Board of Industry; **E. GLUECKSTADT**, managing director of the Danske Landmands Bank; **J. KNUDSEN**, chairman of the Conservative Party in the Folketing; **M. MYGDAL**, **A. TESDORPF** and **A. NIELSEN**, presidents of the Board of Agriculture; **J. P. WINTHER**, **J. AURIDSEN**, **C. USSING**, **M. RUBIN** and **W. STESENSSEN**, managing directors of the National-Banken in Copenhagen; **I. PEDERSEN**, chairman of the Venstre Party of the Landsting; **E. G. NIPER**, chairman of the Conservative Party of the Landsting; **C. SIENGERIK**, chairman of the Radikal Venstre Party of the Folketing; **H. TRIER**, chairman of the Radikal Venstre Party of the Landsting.

NORWAY

OTTO B. HALVORSEN, Speaker of Parliament; **J. TANDBERG**, Bishop of Christiania; **F. NANSEN**, professor; **H. LOEKEN**, governor of Christiania; **B. HOLTSMARK**, leader of a political party; **A. JAHRSEN**, leader of a political party; **JOH. L. EMOVINCKEL**, leader of a political party; **K. BOMHOFF**, president, Bank of Norway; **ALF BUERCKE**, **THUNE LARSEN**, **C. KIERULF**, **V. PLAhte**, **CARL KUTCHERATH**, **CHR. B. LORENTZEN**, **JOH. H. AARENSEN**, **THS. FEARNLEY** and **C. PLATOU**, presidents of Financial, Industrial, and Commercial Associations; **T. MYRVANG**, president, Farmers and Smallholders' Association; **P. VOLCKMAR**, president, Norske Handelsbank.

SWITZERLAND

G. ADOR, president, International Red Cross Committee; **E. BLUMER**, president, National Council; **A. FREY**, president, Swiss Union of Com-

merce and Industry; R. DE HALLER, vice-president of the Board of Directors, National Bank; J. HIRTER, president, Council of National Bank; DR. E. LAUR, secretary, Swiss Union of Peasants; A. PETTAVEL, president, Council of States; E. LICOT, federal judge; G. PICTET, banker; A. SARASIN, president, Swiss Association of Bankers; M. SCHNYDER, president, Association of Swiss Press; DR. H. TSCHUDI, president, Swiss Union of Arts and Crafts.

SWEDEN

J. G. AF JOCHNICK, president of the Swedish State Bank; V. L. MOLL, first deputy, Swedish State Bank; C. E. KINARDER, president, National Debt Office; J. C. SON KJELLBERG, president, Swedish Bankers' Association; H. LAGERCRANTZ, formerly minister to the United States, President Swedish Exporters' Association; A. VENNERSTEN, formerly minister of finance, president, Swedish Industrial Association; K. A. WALLENBERG, formerly minister of foreign affairs, president, Chamber of Commerce of Stockholm; M. WALLENBERG, managing director, Stockholm Enskilda Bank; O. RYDBECK, managing director, Skandinaviska Kreditaktiebolaget; C. FRISK, managing director, Svenska Handelsbanken; K. H. BRANTING; S. A. A. LINDMAN, formerly prime minister, leader, Conservative Party; L. H. KVARNZELIUS, leader, Liberal Party; COUNT R. G. HAMILTON, leader, Liberal Party; E. TRYGGER, formerly member of High Court of Appeal, leader, Conservative Party; K. G. CASSEL, D. DAVIDSON and E. F. K. SOMMARIN, professors, political economy.

LETTER OF THE BRITISH CHANCELLOR OF THE EXCHEQUER TO THE BRITISH MEMORIALISTS

February 11, 1920.

Dear Mr. Brand,—His Majesty's Government have had under consideration the Memorial, dated January 15, which was forwarded by you to the Prime Minister on behalf of the 15 signatories, proposing that the Governments of the countries chiefly concerned, which should include the United States, the United Kingdom and the British Dominions, France, Belgium, Italy, Japan, Germany, Austria, the neutral countries of Europe, and the chief exporting countries of South America, should be invited forthwith to convene a meeting of financial representatives for the purpose of examining the present financial and economic situation of the world, and, in the event of their deciding that co-operative assistance is necessary and advisable, to recommend to whom and by whom assistance should be given, and on what general conditions.

His Majesty's Government understand that an identical memorial was simultaneously presented by representative citizens to certain of the other Governments named in the Memorial, and that an analogous but not

identical memorial was also presented to the Government of the United States of America by representative American citizens.

On the 3d instant I had the pleasure on behalf of his Majesty's Government, in company with two of my colleagues, of meeting the majority of the British signatories to the Memorial, and of obtaining, in the course of an informal discussion, further explanations of the views of the memorialists on the important subjects to which it relates.

In accordance with my promise, I have reported the results of that discussion to the Cabinet, and on behalf of his Majesty's Government I now make the following reply:

The picture which the Memorial presents of the financial and economic conditions resulting from the war, and of the grave economic and social dangers which in consequence confront the whole world, is not, in the opinion of his Majesty's Government, exaggerated. All the information in their possession convinces them of the urgency of the problems to which the Memorial draws attention, and of the added danger which arises from the widespread existence of false hopes and illusions, and the absence of any general recognition of hard facts which, as the Memorial sets forth, are obscured by the apparent plentifulness of money resulting from the continuous growth and the volume of outstanding currency and of Government obligations.

BRING EXPENDITURES WITHIN RECEIPTS

The Memorial lays stress on the need for bringing home to the people of each country that, until the current expenditure of that country is brought within its receipts from taxation and other regular income, it can not expect to be treated as a solvent debtor fit to receive further financial help in the form of new credits for reconstructive purposes, as it is on the sure road to bankruptcy and anarchy. I will return to this point later.

The memorialists recognize that Germany and Austria must bear the largest possible burden that they may safely assume; but they add that the scope of the annual contribution which they will be called upon by the Reparation Commission to undertake must, for the sake of their creditors and for the sake of the future social and economic development of the world, be brought within the limits within which solvency can be preserved. His Majesty's Government can not anticipate the conclusions which the Reparation Commission may reach in regard to this matter; but the statement of principle in the Memorial is in accordance with the views adopted throughout by his Majesty's Government and with the provisions of the Treaties of Peace themselves.

The Memorial suggests that, while much can be done through normal

banking channels, the working capital needed to enable the various European countries to purchase the imports required for restarting the circle of exchange, to restore their productivity, and to reorganize their currencies is too large in amount, and is required too quickly for such channels to be adequate, and they express the opinion that a more comprehensive scheme is necessary. They propose, therefore, that a conference of financial representatives should be summoned to survey the situation and to suggest some such comprehensive scheme of international co-operation in the grant of credits, and they sketch in broad outlines certain general conditions under which such credits might be granted.

The memorialists recognize that such co-operative action, if undertaken at all, can not be confined to any particular group of countries. To quote the words of the Memorial: "The interests of the whole of Europe, and indeed of the whole world, are at stake," and, if success is to be obtained, all must co-operate where all are concerned. The hope of useful results from the deliberations of such a conference must, in fact, depend on the extent to which the participation of the various countries mentioned in the first paragraph of the Memorial is secured.

Under these circumstances the changes introduced into the American Memorial and the attitude of the Government of the United States become matters of first-rate importance in the consideration of the course to be adopted by his Majesty's Government. It seems doubtful whether the participation of the United States Government in such a conference could be secured. It is obvious that the attitude of the United States Government must gravely affect the influence, and even the utility, of such a conference as is proposed. But in conversation with my colleagues and myself you and the other gentlemen who accompanied you, whilst explaining that you had never contemplated large loans by Government to Government, argued that such a conference would exercise a powerful influence in securing those measures of internal reform in the countries concerned, which would not only be a necessary preliminary to any further assistance by foreign Governments, but are equally necessary as a preliminary to any extension of commercial credits, and you expressed the belief that the execution of these internal reforms, by stabilizing the currencies of the countries concerned, would lead to the grant of commercial credits on such a scale that any Government assistance which might still be found necessary would be reduced to comparatively small amounts, and need only be given within strictly defined limits.

BREITAIN WILLING TO PARTICIPATE

The situation is so grave that his Majesty's Government are unwilling to omit any act which may help to alleviate it by bringing home to all

concerned, in this country and elsewhere, a true appreciation of the nature and character of the difficulties with which the world is confronted, and which may at the same time indicate the only methods by which these difficulties can be overcome. Under these circumstances his Majesty's Government will be prepared to appoint representatives if invited to do so by one of the neutral countries, or by the League of Nations, on being satisfied that the conference will assume a really representative character.

But the limits within which the co-operation of his Majesty's Government is practical must be clearly understood. They are impressed with the futility of attempts to solve the grave problem of reconstruction by a continuous process of new borrowing, whether in the form of internal loans to cover deficits on current expenditure, or in the form of external loans advanced by one Government to another. They have themselves laid down as a cardinal feature of their own policy the cessation of new borrowing by the British Government, and the establishment of an adequate sinking fund for the reduction of debt out of revenue, and they have taken steps to stop the inflation of currency. His Majesty's Government have also publicly stated that they are not prepared to grant further advances to other Governments, which involve either new borrowings by this country, or the taxation of our nationals for the purpose of making loans to the Governments of other countries, and his Majesty's Government can not, in view of the immense liabilities which this country has already assumed in the prosecution of the war, adopt either of these alternatives.

His Majesty's Government have, however, felt it necessary, in fulfilment of what they conceive to be the duty of the United Kingdom to make a contribution, worthy of the traditions of the nation, to the reconstruction of Europe, to admit certain particular exceptions to the general principle that loans from Government to Government should cease. They are at the present moment engaged in discussion with the Governments of Canada the United States of America, France, and certain other countries, including some which did not take part in the war, in regard to the provision of Government credits to Austria and Poland for the supply of foodstuffs and raw materials sufficient to enable those countries to avert famine, and re-start industrial life. His Majesty's Government felt compelled publicly to state in November last, that, however desperate the need, they could not participate in measures of relief unless they were assured of the co-operation of the Government of the United States of America to an extent which would make it certain that this country would not be called upon to incur additional expenditure in the United States of America. The movements of the foreign exchanges since November last emphasized the difficulty with which his Majesty's Government were then confronted. In order, therefore, to avoid any possible misconception, his Majesty's Government

desire to make it absolutely clear that, if they were to agree to take part in a conference such as the memorialists propose, it would not be with the idea that it was possible for the United Kingdom at this stage to make any considerable addition to its liabilities, and that if the grant of credits in any form were to be recommended by the conference, his Majesty's Government would not support or take a share in any scheme which involved an addition to the liabilities of the United Kingdom for expenditure in America.

Yours faithfully,

AUSTEN CHAMBERLAIN.

vi. INVESTIGATION OF RUSSIAN CONDITIONS

The Governing Body of the International Labor Office met at Paris, January 27-29, 1920. On the last day Franciszek Sokal, representing the Government of Poland, offered a motion calling for the constitution of a commission comprising employer and worker delegates with a view to studying labor conditions in certain countries of eastern Europe, particularly Russia. He emphasized the importance of an exact knowledge of conditions in Russia in connection with the application of labor conventions. Léon Jouhaux of France approved this proposal in the name of the workers, saying that ignorance regarding Russia is at the bottom of the troubles showing themselves among the working classes of all countries.

G. H. Stuart Bunning, British representative of labor, believed that the problem was essentially political, that if such an inquiry were to be made, the international labor organization should put itself in relation with the League of Nations. Louis Guérin stated that most of the employer delegates were absent and the governmental delegates were without instructions. He therefore proposed that the question be left until the next session. Señor de Eza, Spanish government delegate, remarked that they should not recoil before any responsibility, provided they acted within legal limits; the question should be treated on the basis of the treaty. From the practical point of view this inquiry would be very difficult and he therefore reserved the opinion of his Government.

M. Jouhaux believed that the application of the labor conventions in all countries was at the very basis of the international labor organization and that its competence extended to Russia

as to all other countries without requiring any special authorization. The International Bureau could act without engaging the responsibility of any Government and without any responsibility except that of itself and that of the League of Nations, of which it is a part. Sir Malcolm Delevingne, British government delegate, proposed that they adjourn the debate until the next session; Eugène Mahaim, Belgian government delegate, proposed that the board take the proposal under consideration and report it to the Bureau for study.

Albert Thomas, who had just been elected director of the Bureau, pointed out the necessity of taking a decision and the danger of a hasty one. He assured the Governing Body that the Bureau would settle the problem and consult with the League of Nations as to its practical realization.

COUNCIL REQUESTED TO ACT

The premiers of the Allied Governments, meeting as a Supreme Council, took cognizance of this discussion and on February 24 announced that they had agreed upon the following conclusions:

If the communities which border the frontiers of Soviet Russia and whose independence or *de facto* autonomy they have recognized were to approach them and to ask for advice as to what attitude they should take with regard to Soviet Russia the Allied Governments would reply that they can not accept the responsibility of advising them to continue a war, which may be injurious to their own interest. Still less would they advise them to adopt a policy of aggression toward Russia. If, however, Soviet Russia attacks them inside their legitimate frontiers the Allies will give them every possible support.

The Allies can not enter into diplomatic relations with the Soviet Government, in view of their past experiences, until they have arrived at the conviction that the Bolshevist horrors have come to an end and that the Government at Moscow is ready to conform its methods and diplomatic conduct to those of all civilized governments.

The British and Swiss Governments were both compelled to expel representatives of the Soviet government from their respective countries because they had abused their privileges. Commerce between Russia and the rest of Europe which is so essential for the improvement of economic conditions, not only in Russia but in the rest of the world, will be encouraged to the utmost degree possible without relaxation of the attitude described above.

Furthermore, the Allies agree in the belief that it is highly desirable to obtain impartial and authoritative information on the conditions now prevailing in Russia. They have therefore noted with satisfaction the proposal before the International Labor Bureau, which is a branch of the League of Nations, to send a commission of investigation to Russia to examine into the facts. They think, however, that this inquiry would be invested with even greater authority and with superior chances of success if it were made upon the initiative and conducted under the supervision of the Council of the League of Nations itself, and they invite that body to take action in this direction.

These conclusions were forwarded immediately by the British premier, David Lloyd George, as president of the Supreme Council, to Sir James Eric Drummond, Secretary-General of the League of Nations, by letter. The communication read:

I have the honor to inform you that the attention of the Supreme Council has been drawn to a proposition forwarded by the International Labor Bureau, which is a branch of the League of Nations, proposing to send to Russia an investigating commission to examine the situation. The Allies agree in thinking it extremely desirable to obtain impartial and authorized information on present conditions in Russia.

Nevertheless, they think such investigation would have greater authority and more chance to succeed if made on the initiative of the Council of the League of Nations itself and under its supervision. The Supreme Council asks that we beg you to invite the Council of the League of Nations to act in this sense.

LEAGUE LAYS DOWN CONDITIONS

Mr. Balfour acted as reporter on the Russian matter at the third meeting of the Council of the League. In submitting the report he stated that the principle of two simultaneous inquiries had been approved, to be conducted by two commissions of ten members each appointed by the League of Nations and the International Labor Bureau respectively. To prevent difficulties arising between the two commissions the League commission would include a worker and an employer, recommended by the International Labor Bureau, to serve as liaison agents between the two commissions. The Council proposed to establish a secretariat general for the two commissions, of which the chief would be Colonel de Chardigny, recently in charge of the Caucasus

mission. The following resolutions were unanimously passed and announced to the Supreme Council of the Allies:

The Council of the League of Nations, in response to the invitation of the Supreme Council of the Allies, considering that the action requested of it is in conformity with the objects defined by the Covenant of the League of Nations, accepts the constitution of a commission of inquiry charged with collecting impartial and trustworthy information as to the conditions which exist at present in Russia. It takes for granted that the Supreme Council will take this commission under its protection and that it will regard any act committed against the security and dignity of the members of the commission as an act directed against the Allies themselves and that in such case it will take all appropriate measures. The Council makes on this subject a formal declaration to the Supreme Council of the Allies:

1. The commission of inquiry will receive its mandate from the League of Nations.

This commission will be composed of ten members appointed by the Council, each accompanied by two councillors, one of whom will act as secretary. Two of these members, an employer and a worker, shall be nominated by the International Labor Bureau.

A secretariat of the commission will be constituted, the members of which shall be attached to the permanent Secretariat of the League of Nations. M. de Chardigny was appointed chief of the secretariat. A certain number of technical experts are to be designated to accompany him.

2. As far as concerns the proposal of the International Labor Bureau mentioned in the letter of the president of the Supreme Council, the Council of the League of Nations, considering the provisions of Part XIII of the Treaty of Versailles, believes that it is most particularly the province of the International Labor Bureau to inquire concerning the matters set forth in the preamble of that part of the treaty.

The Governing Body of the Bureau, by virtue of the powers conferred upon it by the treaty, will therefore send, if it judges it useful to do so, a commission into Russia to inquire particularly as to these labor questions.

The Council of the League of Nations believes it necessary to establish co-ordination between the different series of research, the labor problems not being separated from a general inquiry as to the present conditions of Russia.

This co-ordination will be assured by the two members, employer and worker, who have been mentioned above and who will be appointed to the general commission of inquiry on the nomination of the Bureau. The Council of the League of Nations expresses the wish that these two delegates should likewise be members of the Bureau's commission of inquiry.¹

¹*Le Temps*, March 15, 1920; Official Journal, March, 1920, 65.

BOLSHEVISTS ASKED TO STATE ATTITUDE

The following telegram was sent to the Bolshevik Government in Russia:

The Council of the League of Nations, having been invited to examine the possibility of sending a commission to Russia, has decided to constitute a commission in order to obtain impartial and reliable information on the conditions now prevailing in that country. The Permanent Secretariat of the League is, therefore, instructed to ask the Soviet authorities whether they are prepared to give this commission the right to free entry and return, and to make arrangements for insuring to the Commission complete liberty of movement, communication and investigation, and to guarantee the absolute immunity and dignity of its members and the inviolability of their correspondence, archives and effects.

The commission will begin its work as soon as these facilities and rights have been formally assured to it.

On receipt of an affirmative reply the composition of the commission will be notified to the Soviet authorities at the earliest possible moment.¹

The Secretary-General received from the Soviet People's Commissariat for Foreign Affairs the following reply under date of March 22:

Your radio of March 17 was handed to the assistant chairman of the Central Executive Committee, Litvinov, who is now in Moscow. He sent it accordingly to the president of the Central Executive Committee, Kalinin, who is now traveling.

LABOR BUREAU COMPLETES PLANS

The Governing Body of the International Labor Office discussed the matter during its meeting at London on March 24. It was decided unanimously that it was desirable to send a commission of inquiry and the suggestion of the League of Nations to nominate an employer and worker as members of the League's commission was accepted; but it was not deemed possible that the members so nominated should be members of both commissions, on account of practical difficulties involved.

The Labor Office investigation was to be confined to the objects of Part XIII of the Treaty of Peace with Germany and the inquiry would therefore deal with such matters as hours of work,

¹League of Nations Official Journal, March, 1920, 60.

wages, protection of workers against accidents, illness, etc., freedom of association, the status of workers in industry, the protection of women and children, and other similar questions. It was agreed that the commission should consist of twelve members, two proposed by the government members of the Governing Body, five by employers' and five by the workers' members, two advisers to accompany each member.

The Secretary-General of the League, not having had any reply to the wireless message sent to the Soviet Government on March 17, sent another dispatch on May 5. To this dispatch no direct reply was returned.

A central Soviet Moscow wireless message announced on May 10 that, in view of the fact that certain members of the League of Nations were actively supporting Poland and Ukraine in warring on Russia, it could not by reason of military considerations admit into Russia any delegation which included representatives of those nations, although the Soviet supported the principle of the League's decision to send an investigating delegation into Russia. The statement complained that the League had failed to protest against Poland's action; declared that the Soviet was ready to admit all newspaper representatives giving guaranties that they would not abuse the hospitality of the Russian people, and would afford facilities to the British trade union delegation as guests of the Russian trade unions. It concluded by stating that a committee had been appointed, comprising Comrades Kamenev, Litvinov and Mursky, who, jointly with Tchitcherin, the foreign minister, were authorized to admit at the proper time the League of Nation's delegation without convoking a meeting of the All-Russian Central Executive Committee.

vii. REPATRIATION AND RESUPPLYING OF SIBERIAN PRISONERS

Count Bonin-Longare, the representative of Italy, reported at the meeting of the Council on April 13 respecting a request made on February 7 by the Supreme Economic Council to the Council of the League of Nations "to study the measures which might be taken to succor and free prisoners of war who are at present in the territories under the control of the government of the Soviets."

The reporter observed that the sufferings endured by the prisoners of war were too great to be imagined. Many of them had

been in captivity for more than five years, and sickness, famine and cold had increased the misery of their condition. Numerous efforts had been made during the last year, especially by the Red Cross Society, either to repatriate the prisoners or to send them aid. But the results obtained are far from corresponding with the extent and gravity of the evil. There remains still a great number of prisoners—estimated to be between 120,000 and 200,000 in Siberia—for whom there is no immediate chance of repatriation. Their mortality remains very high, and their sufferings of every kind are incalculable. Difficulties of transport and financial difficulties are considerable.

The Council proposed "to confide to a personality enjoying a universally recognized reputation for his qualities of organization and action, for his talents as well as for his greatness of soul, the duty of actually determining first of all what is most necessary and most urgent with a view to accomplishing the task which the League of Nations has taken under its charge and of providing for the execution of the measures in question, reserving to the Council the right to intervene to the extent that is required." Fridtjof Nansen seemed fitted to accomplish this task. He would, therefore, be appointed on behalf of the League of Nations with a view to:

- a. Studying the situation and the measures which might be taken in order to relieve the sufferings of the prisoners of war and to hasten their repatriation.
- b. Studying the work which has already been so usefully accomplished to these ends by official or private organizations, and in particular by the International Committee of the Red Cross, and to seek to co-ordinate and encourage their efforts.
- c. Making to the Council of the League of Nations a report on the measures that he shall have taken, and submitting to it proposals which he would consider the most useful and desirable touching any subsequent action to be undertaken by the Council.
- d. Studying and submitting to the Council proposals touching the credits which it would be necessary to provide for.²

¹The Bolshevik Red Gazette in December, 1919, stated that there were in Siberia 150,000 Hungarian, 12,000 Austrian, 40,000 Czecho-Slovak and 20,000 German prisoners.

²*Le Temps*, 13 avril, 1920.

viii. THE FUTURE STATUS OF ARMENIA

Herbert A. L. Fisher, sitting as the representative for the British Empire, reported on April 12 to the Council on the question of the protection of the future independent state of Armenia, which had been referred to the League by a resolution of the Conference of Ambassadors sitting at London on March 12. The Conference inquired whether the Council was ready to accept in its own name the protection of that future state. The Council examined the problem in all its aspects and unanimously reached the following conclusions:

The Council of the League of Nations believes that the constitution of an Armenian state on the basis of liberty, security and independence is a purpose which arouses and deserves to arouse the active sympathy of the enlightened opinion of the whole civilized world. We well know of what misfortunes the ancient Armenian nation has recently been the victim, and its sufferings exceed in extent and in horror anything that the annals of the history of man on this planet can show. It would in truth be a sign that the resources of civilization have become of little account if we could imagine no means of guaranteeing this unhappy people against the return of the disasters they have recently suffered.

The Council of the League of Nations believes that the best method of attaining a purpose which is universally recognized as desirable would be that a civilized state should accept a mandate for Armenia, under the aegis of the League of Nations. A solution of this character would, we have reason to believe, be welcomed by the Armenians; it would offer the most substantial possibilities for the establishment of a most efficient and prosperous administration, and it would be in conformity with the arrangement which has recently been planned for other parts of Asia, where the state of things from the political point of view is not entirely different.

It may, however, be asked whether it is probable that any state will be disposed to accept such a responsibility. The Council of the League of Nations believes that the reply to this question will depend in part on the military measures which might be taken to liberate the territory and to protect the frontiers of the new state, and, in part, on financial considerations.

The Council has not believed that it is within its province to examine either the military situation in Armenia or the measures necessary to assure the maintenance of peace in the country. As concerns finances, if arrangements could be made which would free the mandatory state from the financial responsibilities which the acceptance of a mandate would imply, it may be anticipated that there would not be insurmountable

difficulties to finding a mandatory for Armenia. The new state will have need of credits to permit it to get through the first and difficult years of its existence, and credits imply a financial guaranty. The Council of the League is disposed to ask the Assembly of the League that its members consider the means of assuring a collective guaranty. Meanwhile, on account of the fact that the Assembly will not meet before the autumn, the Council of the League enters into communication with the Supreme Council in order to examine the question of what provisional financial arrangements it is possible to make with a view to facilitating this solution of the problem, a solution which recommends itself to the general approval of the Council of the League as that which offers the greatest probability of producing the most satisfactory results.

ix. PROTECTION OF MINORITIES IN TURKEY

Baron Gaiffier d'Hestroy, serving as the representative of Belgium, reported on the question of the protection of minorities in Turkey at the meeting of the Council on April 12. He recalled that in a telegram of March 12 from Lord Curzon the Council of the League of Nations was requested by the Council of Ambassadors to say whether the League of Nations would consent to guarantee the clauses of the Treaty of Peace in preparation relative to the protection of minorities in Turkey. Later, a letter from Sir Maurice Hankey had brought to the Council the clauses on which co-operation of the League of Nations was sought. The Council immediately saw the importance of the problem which had been intrusted to it for solution, which was to decide the fate of two million of non-Mussulmans. The Council decided to send to Sir Maurice Hankey the following resolutions:

Unanimously, the Council has felt that it owed it to its own mission, that it owed it to the expectation of the civilized world to honor this request; unanimously it has believed that it would fulfill the eminent rôle for which it was created by contributing with all the means at its disposal to prevent the return of the abominable acts of which the former Ottoman territory had been so often the theater and thus to prevent the wars of which these massacres might be the origin.

However, it has believed that, in order not to find itself faced with responsibilities of which it was not possible as yet to measure the extent, it was not possible for it to determine a practical solution before the clauses of the Treaty of Peace to be concluded with Turkey had been definitely fixed.

Consequently, the Council of the League of Nations has decided to express to the Supreme Council its lively sympathy for the desiderata formulated by it and to declare that the Council is disposed to get into touch with it for determining the proper measures for guaranteeing the execution of the clauses protecting minorities.¹

X. POLISH MINORITIES TREATY

Protection of ethnic, linguistic, racial and religious minorities has been for many years a pressing problem of social justice in Europe. The settlement of the World War included multifarious provisions for such protection. In all cases where new states were given control over any distinct minority an extensive set of treaty clauses was imposed upon the dominant majority, while the rights of the minorities were stipulated to be placed under the guaranty of the League of Nations.² The first treaty of this kind was signed with Poland. The Council of the League of Nations at its second meeting took up the question of assuming the guaranty respecting the Polish treaty, the decision being one of principle which will later be applied to all such treaties or treaty provisions. Mr. Matsui, the Japanese representative, read the report.

“Under Article 12 of the treaty between the Principal Allied and Associated Powers and Poland, . . . Poland agrees that the stipulations in the foregoing articles of the treaty, so far as they affect persons belonging to racial, religious or linguistic minorities, constitute obligations of international concern, and shall be placed under the guaranty of the League of Nations,” he said.

“This stipulation makes it necessary for the Council of the League of Nations to decide whether the League of Nations shall undertake this guaranty. The text of the treaty, as well as of the covering letter sent to M. Paderewski by the President of the Peace Conference on June 24, 1919, are in the hands of the representatives on the Council. The stipulations of Articles 1-11 of the Polish treaty can clearly be accepted by the League of Nations. I do not deem it necessary to go into details. It will be sufficient for me to draw the attention of the Council to the great significance of the step which we are about to take in placing the minority clauses of the treaty under the guaranty of the League of Nations.

¹ *Le Temps*, April 14, 1920.

² See texts, Appendix III, 2

“The treaty with Poland is the first of quite a number of similar treaties which all contain a stipulation to the effect that their clauses, so far as they affect persons belonging to racial, religious or linguistic minorities, constitute obligations of international concern and shall be placed under the guaranty of the League of Nations.

“I trust and believe that the guaranty of the interests of such minorities involved in these treaties will strongly contribute to the maintenance of peace, and I beg to move that the Council pass the following resolution:

The Council of the League of Nations resolve that:

The stipulations in Articles 1-11 of the treaty between the United States of America, the British Empire, France, Italy and Japan on the one side, and Poland on the other, signed at Versailles, June 28, 1919, so far as they affect persons belonging to racial, religious or linguistic minorities, be hereby placed under the guaranty of the League of Nations.

The resolution was put to the Council and carried.¹

¹ League of Nations Official Journal, March, 1920, p. 56.

APPENDIX 1

COVENANT OF THE LEAGUE OF NATIONS

THE HIGH CONTRACTING PARTIES

In order to promote international co-operation and to achieve international peace and security

by the acceptance of obligations not to resort to war,

by the prescription of open, just and honorable relations between nations,

by the firm establishment of the understandings of international law as the actual rule of conduct among Governments, and

by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another, Agree to this Covenant of the League of Nations.

Membership and Withdrawal

ARTICLE 1. The original Members of the League of Nations shall be those of the Signatories which are named in the Annex to this Covenant, and also such of those other States named in the Annex as shall accede without reservation to this Covenant. Such accessions shall be effected by a declaration deposited with the Secretariat within two months of the coming into force of the Covenant. Notice thereof shall be sent to all other Members of the League.

Any fully self-governing State, Dominion or Colony not named in the Annex may become a Member of the League if its admission is agreed to by two-thirds of the Assembly, provided that it shall give effective guaranties of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments.

Any Member of the League may, after two years' notice of its intention, so to do, withdraw from the League, provided that all its international obligations and all its obligations under this Covenant shall have been fulfilled at the time of its withdrawal.

Executive Organs

ARTICLE 2. The action of the League under this Covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat.

Assembly

ARTICLE 3. The Assembly shall consist of representatives of the Members of the League.

The Assembly shall meet at stated intervals and from time to time, as occasion may require, at the Seat of the League, or at such other place as may be decided upon.

The Assembly may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

At meetings of the Assembly each Member of the League shall have one vote, and may have not more than three Representatives.

Council

ARTICLE 4. The Council shall consist of representatives of the Principal Allied and Associated Powers [United States of America, the British Empire, France, Italy and Japan], together with Representatives of four other Members of the League. These four Members of the League shall be selected by the Assembly from time to time in its discretion. Until the appointment of the Representatives of the four Members of the League first selected by the Assembly, Representatives of Belgium, Brazil, Greece and Spain shall be Members of the Council.

With the approval of the majority of the Assembly, the Council may name additional Members of the League, whose Representatives shall always be Members of the Council; the Council with like approval may increase the number of Members of the League to be selected by the Assembly for representation on the Council.

The Council shall meet from time to time as occasion may require, and at least once a year, at the Seat of the League, or at such other place as may be decided upon.

The Council may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

Any Member of the League not represented on the Council shall be invited to send a Representative to sit as a Member at any meeting of the Council during the consideration of matters specially affecting the interests of that Member of the League.

At meetings of the Council, each Member of the League represented on the Council shall have one vote, and may have not more than one Representative.

Voting and Procedure

ARTICLE 5. Except where otherwise expressly provided in this Covenant, or by the terms of the present Treaty, decisions at any meeting of the Assembly or of the Council shall require the agreement of all the Members of the League represented at the meeting.

All matters of procedure at meetings of the Assembly or of the Council, including the appointment of Committees to investigate particular matters, shall be regulated by the Assembly or by the Council and may be

decided by a majority of the Members of the League represented at the meeting.

The first meeting of the Assembly and the first meeting of the Council shall be summoned by the President of the United States of America.

Secretariat

ARTICLE 6. The permanent Secretariat shall be established at the Seat of the League. The Secretariat shall comprise a Secretary-General and such secretaries and staff as may be required.

The first Secretary-General shall be the person named in the Annex; thereafter the Secretary-General shall be appointed by the Council with the approval of the majority of the Assembly.

The secretaries and the staff of the Secretariat shall be appointed by the Secretary-General with the approval of the Council.

The Secretary-General shall act in that capacity at all meetings of the Assembly and of the Council.

The expenses of the Secretariat shall be borne by the Members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

Seat, Qualifications for Officials, Immunities

ARTICLE 7. The Seat of the League is established at Geneva.

The Council may at any time decide that the Seat of the League shall be established elsewhere.

All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women.

Representatives of the Members of the League and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities.

The buildings and other property occupied by the League or its officials or by Representatives attending its meetings shall be inviolable.

Reduction of Armaments

ARTICLE 8. The Members of the League recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments.

Such plans shall be subject to reconsideration and revision at least every 10 years.

After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.

The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programs, and the condition of such of their industries as are adaptable to warlike purposes.

Permanent Military Commission

ARTICLE 9. A permanent Commission shall be constituted to advise the Council on the execution of the provisions of Articles 1 and 8 and on military, naval and air questions generally.

Guaranties Against Aggression

ARTICLE 10. The Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League. In case of any such aggression or in case of any threat or danger of such aggression, the Council shall advise upon the means by which this obligation shall be fulfilled.

Action in Case of War or Threat of War

ARTICLE 11. Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise, the Secretary-General shall, on the request of any Member of the League, forthwith summon a meeting of the Council.

It is also declared to be the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

Disputes to Be Submitted to Arbitration or Inquiry

ARTICLE 12. The Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will

SETTLEMENT OF DISPUTES

submit the matter either to arbitration or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council.

In any case under this Article the award of the arbitrators shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute.

Arbitration of Disputes

ARTICLE 13. The Members of the League agree that, whenever any dispute shall arise between them which they recognize to be suitable for submission to arbitration and which can not be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration.

Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

For the consideration of any such dispute the court of arbitration to which the case is referred shall be the court agreed on by the parties to the dispute or stipulated in any convention existing between them.

The Members of the League agree that they will carry out in full good faith any award that may be rendered and that they will not resort to war against a Member of the League which complies therewith. In the event of any failure to carry out such an award, the Council shall propose what steps should be taken to give effect thereto.

Court of International Justice

ARTICLE 14. The Council shall formulate and submit to the Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.

Disputes Not Submitted to Arbitration

ARTICLE 15. If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration in accordance with Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the

dispute to the Secretary-General, who will make all necessary arrangements for a full investigation and consideration thereof.

For this purpose the parties to the dispute will communicate to the Secretary-General, as promptly as possible, statements of their case, with all the relevant facts and papers, and the Council may forthwith direct the publication thereof.

The Council shall endeavor to effect a settlement of the dispute and, if such efforts are successful, a statement shall be made public giving such facts and explanations regarding the dispute and the terms of settlement thereof as the Council may deem appropriate.

If the dispute is not thus settled, the Council, either unanimously or by a majority vote, shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

Any Member of the League represented on the Council may make public a statement of the facts of the dispute and of its conclusions regarding the same.

If a report by the Council is unanimously agreed to by the Members thereof other than the Representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the Representatives of one or more of the parties to the dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

If the dispute between the parties is claimed by one of them, and is found by the Council, to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendation as to its settlement.

The Council may in any case under this Article refer the dispute to the Assembly. The dispute shall be so referred at the request of either party to the dispute, provided that such request be made within 14 days after the submission of the dispute to the Council.

In any case referred to the Assembly, all the provisions of this Article and of Article 12 relating to the action and powers of the Council shall apply to the action and powers of the Assembly, provided that a report made by the Assembly, if concurred in by the Representatives of those Members of the League represented on the Council and of a majority of the other Members of the League, exclusive in each case of the Represent-

atives of the parties to the dispute, shall have the same force as a report by the Council concurred in by all the members thereof other than the Representatives of one or more of the parties to the dispute.

Sanctions

ARTICLE 16. Should any Member of the League resort to war in disregard of its covenants under Articles 12, 13 or 15, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not.

It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval or air force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the Members of the League which are co-operating to protect the covenants of the League.

Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the Representatives of all the other Members of the League represented thereon.

Disputes with Non-Members

ARTICLE 17. In the event of a dispute between a Member of the League and a State which is not a Member of the League, or between States not Members of the League, the State or States not Members of the League shall be invited to accept the obligations of Membership in the League for the purposes of such dispute, upon such conditions as the Council may deem just. If such invitation is accepted, the provisions of Articles 12 to 16, inclusive, shall be applied with such modifications as may be deemed necessary by the Council.

Upon such invitation being given, the Council shall immediately

institute an inquiry into the circumstances of the dispute and recommend such action as may seem best and most effectual in the circumstances.

If a State so invited shall refuse to accept the obligations of Membership in the League for the purposes of such dispute, and shall resort to war against a Member of the League, the provisions of Article 16 shall be applicable as against the State taking such action.

If both parties to the dispute, when so invited, refuse to accept the obligations of Membership in the League for the purposes of such dispute, the Council may take such measures and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

Registration and Publication of Treaties

ARTICLE 18. Every treaty or international engagement entered into hereafter by any Member of the League shall be forthwith registered with the Secretariat and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

Review of Treaties

ARTICLE 19. The Assembly may from time to time advise the reconsideration by Members of the League of treaties which have become inapplicable, and the consideration of international conditions whose continuance might endanger the peace of the world.

Abrogation of Inconsistent Obligations

ARTICLE 20. The Members of the League severally agree that this Covenant is accepted as abrogating all obligations or understandings *inter se* which are inconsistent with the terms thereof, and solemnly undertake that they will not hereafter enter into any engagements inconsistent with the terms thereof.

In case any Member of the League shall, before becoming a Member of the League, have undertaken any obligations inconsistent with the terms of this Covenant, it shall be the duty of such Member to take immediate steps to procure its release from such obligations.

Engagements that Remain Valid

ARTICLE 21. Nothing in this Covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

Control of Colonies and Territories

ARTICLE 22. To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this Covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be intrusted to advanced nations who, by reason of their resources, their experience or their geographical position, can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.

Other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other Members of the League.

There are territories, such as Southwest Africa and certain of the South Pacific islands, which, owing to the sparseness of their population or their small size, or their remoteness from the centers of civilization, or their geographical contiguity to the territory of the Mandatory, and other circumstances, can be best administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population.

In every case of mandate, the Mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

The degree of authority, control or administration to be exercised by the Mandatory shall, if not previously agreed upon by the Members of the League, be explicitly defined in each case by the Council.

A permanent Commission shall be constituted to receive and examine the annual reports of the Mandatories, and to advise the Council on all matters relating to the observance of the mandates.

Social Activities

ARTICLE 23. Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League:

(a) will endeavor to secure and maintain fair and humane conditions of labor for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organizations;

(b) undertake to secure just treatment of the native inhabitants of territories under their control;

(c) will intrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children and the traffic in opium and other dangerous drugs;

(d) will intrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest;

(e) will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connection, the special necessities of the regions devastated during the war of 1914-1918 shall be borne in mind;

(f) will endeavor to take steps in matters of international concern for the prevention and control of disease.

International Bureaus

ARTICLE 24. There shall be placed under the direction of the League all international bureaus already established by general treaties, if the parties to such treaties consent. All such international bureaus and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the League.

In all matters of international interest which are regulated by general conventions but which are not placed under the control of international bureaus or commissions, the Secretariat of the League shall, subject to the consent of the Council and if desired by the parties, collect and distribute all relevant information and shall render any other assistance which may be necessary or desirable.

The Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the League.

Promotion of Red Cross

ARTICLE 25. The Members of the League agree to encourage and promote the establishment and co-operation of duly authorized voluntary national Red Cross organizations having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.

Amendments

ARTICLE 26. Amendments to this Covenant will take effect when ratified by the Members of the League whose Representatives compose the Council and by a majority of the Members of the League whose Representatives compose the Assembly.

No such amendment shall bind any Member of the League which signifies its dissent therefrom, but in that case it shall cease to be a Member of the League.

ANNEX

I. ORIGINAL MEMBERS OF THE LEAGUE OF NATIONS, SIGNATORIES OF THE TREATY OF PEACE.

United States of America	Haiti
Belgium	Hedjaz
Bolivia	Honduras
Brazil	Italy
British Empire	Japan
Canada	Liberia
Australia	Nicaragua
South Africa	Panamá
New Zealand	Perú
India	Poland
China	Portugal
Cuba	Rumania
Ecuador	Serb-Croat-Slovene State
France	Siam
Greece	Czecho-Slovakia
Guatemala	Uruguay

STATES INVITED TO ACCEDE TO THE COVENANT.

Argentine Republic	Persia
Chile	Salvador
Colombia	Spain
Denmark	Sweden
Netherlands	Switzerland
Norway	Venezuela
Paraguay	

II. FIRST SECRETARY-GENERAL OF THE LEAGUE OF NATIONS.

The Honorable Sir James Eric Drummond, K. C. M. G., C. B.

APPENDIX II

TREATIES OF THE SETTLEMENT

[References are in most cases to Parliamentary Papers, Accounts and Papers, State Papers, Treaty Series]

1a. Treaty of peace with Germany. Washington, Government Printing Office, 1919. 192 p. 23½ cm. (66th Cong., 1st sess., Sen. Doc. No. 49.) The signatories are listed *ante*, pages 7-9.

The quarto print for the Committee on Foreign Relations is Sen. Doc. No. 51; the reported treaty is Sen. Doc. No. 85. No American edition with maps is available.

The official edition of the Interallied Peace Conference, copies of which were ratified, is:

Traité de paix entre les Puissances alliés et associées et l'Allemagne et protocole signés à Versailles, le 28 juin 1919. Treaty of peace between the Allied and Associated Powers and Germany and protocol signed at Versailles, June 28, 1919. (N. p. (1919). xv, 428, 4 p. 4 maps. 32½ cm.)

The best edition is:

The treaty of peace between the Allied and Associated Powers and Germany, the protocol annexed thereto, the agreement respecting the military occupation of the territories of the Rhine, and the treaty between France and Great Britain respecting assistance to France in the event of unprovoked aggression by Germany. Signed at Versailles, June 28th, 1919. (With maps and signatures in facsimile.) (London, His Majesty's Stationery Office, 1919. xv. 453 p. 9 plates; 4 maps in pocket. 32½ cm.)

1b. Index to the treaty of peace between the Allied and Associated Powers and Germany, signed at Versailles, June 28, 1919.

Treaty Series No. 1 (1920), Cmd. 516.

1c. Protocol supplementary to the treaty of peace, signed at Versailles, June 28, 1919.

Treaty Series No. 5 (1919), Cmd. 220; Gen. Doc. No. 66, 66th Cong., 1st sess.

2a. Assistance to France in the event of unprovoked aggression by Germany. Message from the President of the United States transmitting an agreement between the United States and France which was signed at Versailles, June 28, 1919, to secure the Republic of France the immediate aid of the United States in case of unprovoked movement of aggression against her on the part of Germany. Washington, Government Printing Office, 1919. (66th Cong., 1st sess., Sen. Doc. No. 63.)

2b. Treaty respecting assistance to France in the event of unprovoked aggression by Germany, signed at Versailles, June 28, 1919.

Treaty Series No. 6 (1919), Cmd. 221.

Ratification: exchanged, November 20, 1919, at Paris.

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Australia	Nicaragua
South Africa	Panamá
New Zealand	Perú
India	Poland
China	Portugal
Cuba	Rumania
Ecuador	Serb-Croat-Slovene State
France	Siam
Greece	Czecho-Slovakia
Guatemala	Uruguay

STATES INVITED TO ACCEDE TO THE COVENANT.

Argentine Republic	Persia
Chile	Salvador
Colombia	Spain
Denmark	Sweden
Netherlands	Switzerland
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2b. Treaty respecting assistance to France in the event of unprovoked aggression by Germany, signed at Versailles, June 28, 1919.

Treaty Series No. 6 (1919), Cmd. 221.

Ratification: exchanged, November 20, 1919, at Paris.

3a. Declaration by the Governments of the United States of America, Great Britain and France in regard to the occupation of the Rhine provinces [June 16, 1919]. London, H. M. Stationery Office, 1919. Cmd. 240.

3b. Agreement between the United States of America, Belgium, the British Empire and France, and Germany with regard to the military occupation of the territories of the Rhine. Signed at Versailles, June 28, 1919.

Treaty Series No. 7 (1919), Cmd. 222; Sen. Doc. No. 81, 66th Cong., 1st sess.

4. Treaty of peace between the Allied and Associated Powers and Austria, together with the Protocol and Declarations annexed thereto, signed at Saint-Germain-en-Laye, September 10, 1919. With map.

Treaty Series No. 11 (1919), Cmd. 400.

United States of America, the British Empire, France, Italy, Japan, Belgium, China, Cuba, Greece, Nicaragua, Panama, Poland, Portugal, Rumania (acceded, December 9, 1919), the Serb-Croat-Slovene State (acceded, December 5, 1919), Siam and Czecho-Slovakia, and Austria.

Conditions of Peace with Austria were published as Sen. Doc. No. 92, 66th Cong., 1st sess.

5. Treaty of peace between the Allied and Associated Powers and Bulgaria, and Protocol. Signed at Neuilly-sur-Seine, November 27, 1919. With map.

Treaty Series No. 5 (1920), Cmd. 522.

United States of America, the British Empire, France, Italy, Japan, Belgium, China, Cuba, Greece, the Hedjaz, Poland, Portugal, Rumania, the Serb-Croat-Slovene State, Siam and Czecho-Slovakia, and Bulgaria.

GENERAL CONVENTIONS

6. Convention for the control of the trade in arms and ammunition and Protocol, signed at Saint-Germain-en-Laye, September 10, 1919.

Treaty Series No. 12 (1919), Cmd. 414; *Bulletin de l'Institut Intermédiaire International*, II, 159-172.

United States of America, Belgium, Bolivia, the British Empire, China, Cuba, Ecuador, France, Greece, Guatemala, Haiti (acceded) January 21, 1920, the Hedjaz, Italy, Japan, Nicaragua, Panama, Peru, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Siam, Czecho-Slovakia; Brazil adhered December 22, 1919.

7. Convention relating to the liquor traffic in Africa and Protocol, signed at Saint-Germain-en-Laye, September 10, 1919.

Treaty Series No. 19 (1919), Cmd. 478; *Bulletin de l'Institut Intermédiaire International*, II, 181-185.

United States of America, Belgium, the British Empire, France, Italy, Japan and Portugal.

8. Convention revising the General Act of Berlin, February 26, 1885, and the General Act and Declaration of Brussels of July 2, 1890, signed at Saint-Germain-en-Laye, September 10, 1919.

Treaty Series No. 18 (1919), Cmd. 477; *Bulletin de l'Institut Intermédiaire International*, II, 176-181.

United States of America, Belgium, the British Empire, France, Italy, Japan and Portugal.

9. Convention relating to international aerial navigation, signed at Paris, October 13, 1919.

Belgium, Bolivia, Brazil, British Empire, China, Cuba, Ecuador, France, Greece, Guatemala, Italy, Panama, Poland, Portugal, Rumania, Siam, Czecho-Slovak State, Uruguay.

Published in draft: Air ministry. Convention relating to international air navigation. Convention relative à la navigation aérienne internationale. Cmd. 266. Reprinted: International air navigation. Convention relating to regulation of international air navigation agreed to by the Allied and Associated Powers. (French and English texts.) (Sen. Doc. No. 91, 66th Cong., 1st sess.)

PROTECTION OF PERSONS

10. Treaty of peace between the United States of America, the British Empire, France, Italy and Japan, and Poland. Signed at Versailles, June 28, 1919.

Treaty Series No. 8 (1919), Cmd. 223; Sen. Doc. No. 65, 66th Cong., 1st sess., *Bulletin de l'Institut Intermédiaire International*, I, 531-538.

11. Treaty [respecting the protection of ethnic and religious minorities] between the Principal Allied and Associated Powers and the Serb-Croat-Slovene State, signed at Saint-Germain-en-Laye, September 10, 1919.

Treaty Series No. 17 (1919); *Bulletin de l'Institut Intermédiaire International*, II, 186-191.

12. Treaty between the Principal Allied and Associated Powers and Czecho-Slovakia [respecting the protection of ethnic and religious minorities], signed at Saint-Germain-en-Laye, September 10, 1919.

Treaty Series No. 20 (1919), Cmd. 479; *Bulletin de l'Institut Intermédiaire International*, II, 191-197.

13. Treaty between the Principal Allied and Associated Powers and Rumania [respecting the protection of ethnic and religious minorities], signed at Paris, December 9, 1919.

Treaty Series No. 6 (1920), Cmd. 588; *Current History*, March, 1920, xi, part II, 531-534.

See Allies' note of October 12, *Le Temps*, November 5, 1919.

14. Convention between Greece and Bulgaria respecting reciprocal emigration, signed at Neuilly-sur-Seine, November 27, 1919.

Parl. Pap., Miscellaneous No. 3 (1920), Cmd. 589.

In accordance with Article 56, par. 2, of the Treaty of Peace with Bulgaria.

DISTRIBUTION OF REPARATION

15a. Agreement between the Allied and Associated Powers with regard to the contributions to the cost of liberation of the territories of the former Austro-Hungarian Monarchy, signed at Saint-Germain-en-Laye, September 10, 1919.

Treaty Series No. 14 (1919), Cmd. 458; *Bulletin de l'Institut Intermédiaire International*, II, 174-175.

15b. Agreement between the Allied and Associated Powers with regard to the Italian reparation payments, signed at Saint-Germain-en-Laye, September 10, 1919.

Treaty Series No. 15 (1919), Cmd. 459; *Bulletin de l'Institut Intermédiaire International*, II, 172-174.

United States of America, Belgium, the British Empire, China, Cuba, France, Greece, Italy, Japan, Nicaragua, Panama, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Siam, the Czecho-Slovak State.

15c. Declaration modifying the Agreement of September 10, 1919. Signed at Paris, December 8, 1919.

Parl. Pap., Cmd. 637.

AFRICAN ARRANGEMENTS

16. Agreement between the United Kingdom and Belgium respecting boundaries in East Africa (Mount Sabinio to the Congo-Nile watershed), Signed at London, February 3, 1915. Ratifications exchanged at London, October 20, 1919.

Treaty Series No. 2 (1920), Cmd. 517.

17. Convention signed at Paris, September 8, 1919, with a view to completing the provisions of the agreement of June 14, 1898, and of the additional declaration of March 21, 1899, establishing the frontier of French and English possessions and spheres of influence situated west and east of the Niger.

OCCUPIED TERRITORY

18. Convention concluded between Belgium and Germany in regard to German marks, signed at Berlin, November 25, 1919.

The Americas, April, 1920, 14-15.

APPENDIX III

DUTIES OF THE LEAGUE OF NATIONS

AS PRESCRIBED IN THE TREATIES CONSTITUTING THE PEACE SETTLEMENT OF THE WORLD WAR

[*Note:* This compilation lists all references in the treaties to the League of Nations, but does not present a full view of all the details of the duties assigned indirectly to the League or directly to organs dependent in some degree upon it.]

The Covenant of the League of Nations is Part I, Articles 1 to 26, of the treaties of peace with Germany, Austria, Bulgaria, Hungary and the Ottoman Empire.

The provisions respecting Labor are Part XIII, Articles 387 to 427, of the Treaty of Peace with Germany; Part XIII, Articles 332 to 372, of the Treaty of Peace with Austria; Part XII, Articles 249 to 289, of the Treaty of Peace with Bulgaria; and will appear in those with Hungary and the Ottoman Empire.

1. MAINTENANCE OF JUSTICE

a. PERMANENT COURT OF INTERNATIONAL JUSTICE

In the case of a disagreement of two or more States relating to the interpretation of the present Convention, the question in dispute shall be determined by the Permanent Court of International Justice to be established by the League of Nations and until its establishment by arbitration.

. . .—Art. 38, *International Air Navigation Convention*.

In view of the geographical situation of the Czecho-Slovak State, Austria agrees to the following modifications in the International Telegraph . . . Conventions [of July 22, 1875, and of June 11, 1908]:

(5). The particular lines to be provided together with any necessary administrative, technical and financial conditions not provided for in existing International Conventions or in this Article shall be fixed by a further convention between the States concerned. In default of agreement on such convention they will be fixed by an arbitrator appointed by the Council of the League of Nations.

(6). The stipulations of the present Article may be varied at any time by agreement between Austria and the Czecho-Slovak State. After the expiration of ten years from the coming into force of the present Treaty the conditions under which the Czecho-Slovak State shall enjoy the rights conferred by this Article may, in default of agreement by the parties, be modified at the request of either party by an arbitrator designated by the Council of the League of Nations.

(7). In case of any dispute between the parties as to the interpretation

either of this Article or of the Convention referred to in paragraph 5, this dispute shall be submitted for decision to the Permanent Court of International Justice to be established by the League of Nations.—Art. 327, *Treaty of Peace with Austria*.

b. TO ACT AS ARBITER

Each of the Allied or Associated Powers, being guided by the general principles or special provisions of the present Treaty, shall notify to Germany the bilateral treaties or conventions which such Allied or Associated Power wishes to revive with Germany. . . .

The Allied and Associated Powers undertake among themselves not to revive with Germany any conventions or treaties which are not in accordance with the terms of the present Treaty.

The notification shall mention any provisions of the said conventions and treaties which, not being in accordance with the terms of the present Treaty, shall not be considered as revived.

In case of any difference of opinion, the League of Nations will be called on to decide. . . .—Art. 289, *Treaty of Peace with Germany*.

Article 241, Treaty of Peace with Austria, reads in first paragraph: "bilateral agreements of all kinds which were in force between her and the former Austro-Hungarian Monarchy, and which she wishes should be in force as between her and Austria."—In the third paragraph: "not to apply, as between themselves and Austria any agreements."—In the fourth paragraph: "said agreements," and "as coming into force."

Article 168, Treaty of Peace with Bulgaria, *mutatis mutandis*, with Austria.

Disputes which may arise between interested Powers with regard to the interpretation and application of the preceding Articles [ports, waterways and railways] shall be settled as provided by the League of Nations.—Art. 376, *Treaty of Peace with Germany*.

Article 328, Treaty of Peace with Austria, and Article 245, Treaty of Peace with Bulgaria, *mutatis mutandis*.

The immunities and privileges of foreigners as well as the rights of jurisdiction and of consular protection enjoyed by the Allied and Associated Powers in Bulgaria by virtue of the capitulations, usages and treaties, may form the subject of special conventions between each of the Allied and Associated Powers concerned and Bulgaria. . . .

The Allied and Associated Powers concerned undertake among themselves to conclude only such conventions as shall conform to the stipulations of the present Treaty. In case of difference of opinion among them, the League of Nations will be called upon to decide.—Art. 175, *Treaty of Peace with Bulgaria*.

Poland agrees to assume responsibility for such proportion of the

Russian public debt and other Russian public liabilities of any kind as may be assigned to her under a special convention between the Principal Allied and Associated Powers on the one hand and Poland on the other, to be prepared by a Commission appointed by the above States. In the event of the Commission not arriving at an agreement the point at issue shall be referred for immediate arbitration to the League of Nations.—Art. 21, *Treaty of Peace with Poland*.

c. TO APPOINT ARBITRATOR

In default of any provisions to the contrary, when as the result of the fixing of a new frontier the hydraulic system (canalization, inundations, irrigation, drainage or similar matters) in a State is dependent on works executed within the territory of another State, or when use is made on the territory of a State, in virtue of prewar usage, of water or hydraulic power, the source of which is on the territory of another State, an agreement shall be made between the States concerned to safeguard the interests and rights acquired by each of them.

Failing an agreement, the matter shall be regulated by an arbitrator appointed by the Council of the League of Nations.—Art. 309, *Treaty of Peace with Austria*.

Unless otherwise provided, when use is made for municipal or domestic purposes in one State of electricity or water, the source of which as the result of the fixing of a new frontier is on the territory of another State, an agreement shall be made between the States concerned to safeguard the interests and rights acquired by each of them. . . .

Failing an agreement, the matter shall be regulated by an arbitrator appointed by the Council of the League of Nations.—Art. 310, *Treaty of Peace with Austria*.

With the object of insuring regular utilization of the railroads of the former Austro-Hungarian Monarchy owned by private companies which, as a result of the stipulations of the present Treaty, will be situated in the territory of several States, the administrative and technical reorganization of the said lines shall be regulated in each instance by an agreement between the owning company and the States territorially concerned.

Any differences on which agreement is not reached, including questions relating to the interpretation of contracts concerning the expropriation of the lines, shall be submitted to arbitrators designated by the Council of the League of Nations.—Art. 320, *Treaty of Peace with Austria*.

d. TRIBUNAL IN CONFORMITY WITH COVENANT

The High Contracting Parties agree that if any dispute whatever should arise between them relating to the application of the present

Convention which can not be settled by negotiation, this dispute shall be submitted to an arbitral tribunal in conformity with the Covenant of the League of Nations.—Art. 8, *Convention relating to the Liquor Traffic in Africa*.

The High Contracting Parties agree that if any dispute whatever should arise between them relating to the application of the present Convention which can not be settled by negotiation, this dispute shall be submitted to an arbitral tribunal in conformity with the provisions of the Covenant of the League of Nations.—Art. 24, *Convention for the Control of the Trade in Arms and Ammunition*.

The Signatory Powers agree that if any dispute whatever should arise between them relating to the application of the present Convention which can not be settled by negotiation, this dispute shall be submitted to an arbitral tribunal in conformity with the provisions of the Covenant of the League of Nations.—Art. 12, *Convention revising the General Act of Berlin, February 26, 1885, and the General Act and Declaration of Brussels, July 2, 1890*.

e. TO PROVIDE SPECIAL TRIBUNAL

In default of any special organization for carrying out the works connected with the upkeep and improvement of the international portion of a navigable system, each riparian State shall be bound to take suitable measures to remove any obstacle or danger to navigation and to insure the maintenance of good conditions of navigation.

If a State neglects to comply with this obligation any riparian State, or any State represented on the International Commission, if there is one, may appeal to the tribunal instituted for this purpose by the League of Nations.—Art. 336, *Treaty of Peace with Germany*.

Article 297, *Treaty of Peace with Austria*, and Article 225, *Treaty of Peace with Bulgaria, mutatis mutandis*.

§ 3. The same procedure shall be followed in the case of a riparian State undertaking any works of a nature to impede navigation in the international section. The tribunal mentioned in the preceding Article shall be entitled to enforce the suspension or suppression of such works, making due allowance in its decisions for all rights in connection with irrigation, water power, fisheries, and other national interests, which, with the consent of all the riparian States or of all the States represented on the International Commission, if there is one, shall be given priority over the requirements of navigation.

Appeal to the tribunal of the League of Nations does not require the suspension of the works.—Art. 337, *Treaty of Peace with Germany*.

Article 298, *Treaty of Peace with Austria*, and Article 226, *Treaty of Peace with Bulgaria, mutatis mutandis*.

In the event of violation of any of the conditions of Articles 380 to 386 [clauses relating to the Kiel Canal], or of disputes as to the interpretation of these Articles, any interested Power can appeal to the jurisdiction instituted for the purpose by the League of Nations.

In order to avoid reference of small questions to the League of Nations, Germany will establish a local authority at Kiel qualified to deal with disputes in the first instance and to give satisfaction so far as possible to complaints which may be presented through the consular representatives of the interested Powers.—Art. 386, *Treaty of Peace with Germany*.

Pending the conclusion on a general convention on the international régime of waterways, Poland undertakes to apply to the river system of the Vistula (including the Bug and the Narev) the régime applicable to international waterways set out in Articles 332 to 337 of the *Treaty of Peace with Germany*.—Art. 18, *Treaty of Peace with Poland*.

Article 16, *Treaty with Rumania, mutatis mutandis*.

2. PROTECTION OF ETHNIC, LINGUISTIC AND RELIGIOUS MINORITIES

Article 1. Poland [Austria,¹ Bulgaria,² Czecho-Slovakia, Serb-Croat-Slovene State, Rumania] undertakes that the stipulations contained in Articles 2 to 8 of this chapter shall be recognized as fundamental laws, and that no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them.

Article 2. Poland [Austria,³ Bulgaria,⁴ Czecho-Slovakia, Serb-Croat-Slovene State,⁵ Rumania] undertakes to assure full and complete protection of life and liberty to all inhabitants of Poland [etc.], without distinction of birth, nationality, language, race or religion.

All inhabitants of Poland [etc.] shall be entitled to the free exercise, whether public or private, of any creed, religion or belief, whose practices are not inconsistent with public order or public morals.

Article 3. Poland [Czecho-Slovakia,⁶ Serb-Croat-Slovene State,⁷ Rumania⁸] admits and declares to be Polish [etc.] nationals *ipso facto* and

¹Treaty of Peace, Art. 62.

²Treaty of Peace, Art. 63.

³Treaty of Peace, Art. 49.

⁴Treaty of Peace, Art. 50.

⁵Without reference to language.

⁶Refers to "German, Austrian or Hungarian nationals resident or possessing rights of citizenship."

⁷Refers to "Austrian, Hungarian or Bulgarian nationals resident or possessing rights of citizenship."

⁸Applies to "all persons habitually resident at the date of the coming into force of the present Treaty within the whole territory of Rumania, including the extensions made by the Treaties of Peace with Austria and Hungary, or any other extensions which may hereafter be made, if such persons are not at that date nationals of a foreign state other than Austria or Hungary."

without the requirement of any formality, German, Austrian, Hungarian or Russian nationals habitually resident, at the date of the coming into force of the present treaty, in territory which is or may be recognized as forming part of Poland [etc.], but subject to any provisions in the treaties of peace with Germany or Austria respectively, relating to persons who became resident in such territory after a specified date.

Nevertheless, the persons referred to above who are over 18 years of age will be entitled under the conditions contained in the said treaties to opt for any other nationality which may be open to them. Option by a husband will cover his wife and option by parents will cover their children under 18 years of age.

Persons who have exercised the above right to opt must, except where it is otherwise provided in the Treaty of Peace with Germany, transfer within the succeeding 12 months their place of residence to the State for which they have opted. They will be entitled to retain their immovable property in Polish [etc.] territory. They may carry with them their movable property of every description. No export duties may be imposed upon them in connection with the removal of such property.

Article 4. Poland [Czecho-Slovakia,¹ Serb-Croat-Slovene State,² Rumania³] admits and declares to be Polish [etc.] nationals, *ipso facto* and without the requirement of any formality, persons of German, Austrian, Hungarian or Russian nationality who were born in the said territory of parents habitually resident there, even if at the date of the coming into force of the present treaty they are not themselves habitually resident there.

Nevertheless within two years after the coming into force of the present treaty, these persons may make a declaration before the competent Polish [etc.] authorities in the country in which they are resident, stating that they abandon Polish [etc.] nationality, and they will then cease to be considered as Polish [etc.] nationals. In this connection a declaration by a husband will cover his wife, and a declaration by parents will cover their children under 18 years of age.

Article 5. Poland [Austria,⁴ Bulgaria,⁵ Czecho-Slovakia, Serb-Croat-Slovene State, Rumania] undertakes to put no hindrance in the way of the exercise of the right which the persons concerned have, under the

¹Refers to "German, Austrian or Hungarian nationals resident or possessing rights of citizenship."

²Refers to "Austrian, Hungarian or Bulgarian nationals resident or possessing rights of citizenship."

³Refers to "persons of Austrian or Hungarian nationality who were born in the territory transferred to Rumania by the Treaties of Peace with Austria and Hungary, or subsequently transferred to her."

⁴Treaty of Peace, Art. 81.

⁵Treaty of Peace, Art. 56.

treaties concluded or to be concluded by the Allied and Associated Powers with Germany, Austria, Hungary or Russia, to choose whether or not they will acquire Polish [etc.] nationality.

Article 6. All persons born in Polish [Austrian,¹ Bulgarian,² Czecho-Slovakian, Serb-Croat-Slovene, Rumanian] territory who are not born nationals of another State shall *ipso facto* become Polish [etc.] nationals.

Article 7. All Polish [Austrian,³ Bulgarian,⁴ Czecho-Slovakian, Serb-Croat-Slovene, Rumanian⁵] nationals shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race, language or religion.

Differences of religion, creed or confession shall not prejudice any Polish [etc.] national in matters relating to the enjoyment of civil or political rights, as for instance admission to public employments, functions and honors, or the exercise of professions and industries.

No restriction shall be imposed on the free use by any Polish [etc.] national of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.

Notwithstanding any establishment by the Polish [etc.] Government of an official language, adequate facilities shall be given to Polish [etc.] nationals of non-Polish [etc.] speech for the use of their language, either orally or in writing, before the courts.

Article 8. Polish [Austrian,⁶ Bulgarian,⁷ Czecho-Slovakian, Serb-Croat-Slovene, Rumanian⁸] nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as the other Polish [etc.] nationals. In particular they shall have an equal right to establish, manage and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein.

Article 9. Poland [Austria,⁹ Bulgaria,¹⁰ Czecho-Slovakia,¹¹ Serb-Croat-Slovene State,¹² Rumania¹³] will provide in the public educational system in towns and districts in which a considerable proportion of Polish [etc.] nationals of other than Polish [etc.] speech are residents adequate facilities

¹Treaty of Peace, Art. 65.

²Treaty of Peace, Art. 52.

³Treaty of Peace, Art. 66.

⁴Treaty of Peace, Art. 53.

⁶Art. 8.

⁷Treaty of Peace, Art. 67.

⁸Treaty of Peace, Art. 54.

⁹Art. 9.

¹⁰Treaty of Peace, Art. 68; omits par. 3.

¹¹Treaty of Peace, Art. 55; omits par. 3.

¹²Omits the phrase "in the primary schools" in the first paragraph; and the third paragraph entire.

¹³Relates to territory transferred "since January 1, 1913."

¹⁴Art. 10; omits the third paragraph entire.

for insuring that in the primary schools the instruction shall be given to the children of such Polish [etc.] nationals through the medium of their own language. This provision shall not prevent the Polish [etc.] Government from making the teaching of the Polish [etc.] language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Polish [etc.] nationals belonging to racial, religious or linguistic minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the state, municipal or other budget, for educational, religious or charitable purposes.

The provisions of this article shall apply to Polish [etc.] citizens of German speech only in that part of Poland which was German territory on August 1, 1914.

Article 10. Educational committees appointed locally by the Jewish communities of Poland will, subject to the general control of the State, provide for the distribution of the proportional share of public funds allocated to Jewish schools in accordance with Article 9, and for the organization and management of these schools.

The provisions of Article 9 concerning the use of languages in schools shall apply to these schools.

Article 11. Jews shall not be compelled to perform any act which constitutes a violation of their Sabbath, nor shall they be placed under any disability by reason of their refusal to attend courts of law or to perform any legal business on their Sabbath. This provision, however, shall not exempt Jews from such obligations as shall be imposed upon all other Polish citizens for the necessary purposes of military service, national defense or the preservation of public order.

Poland declares her intention to refrain from ordering or permitting elections, whether general or local, to be held on a Saturday, nor will registration for electoral or other purposes be compelled to be performed on a Saturday.

Article 12. Poland [Austria,¹ Bulgaria,² Czecho-Slovakia,³ Serb-Croat-Slovene State,⁴ Rumania] agrees that the stipulations in the foregoing articles, so far as they affect persons belonging to racial, religious, or linguistic minorities, constitute obligations of international concern, and shall be placed under the guaranty of the League of Nations. They shall not be modified without the assent of a majority of the Council of the League of Nations. The United States, the British Empire, France,

¹Treaty of Peace, Art. 69.

²Treaty of Peace, Art. 57.

³Art. 14.

⁴Art. 11.

Italy, and Japan hereby agree not to withhold their assent from any modification in these articles which is in due form assented to by a majority of the Council of the League of Nations.

Poland [etc.] agrees that any member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction, or any danger of infraction, of any of these obligations, and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances.

Poland [etc.] further agrees that any difference of opinion as to questions of law or fact arising out of these articles, between the Polish [etc.] Government and any of the Principal Allied and Associated Powers, or any other Power, a member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. The Polish [etc.] Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

3. INSTITUTIONS ESTABLISHED

a. COMMISSIONS OF THE LEAGUE

The boundaries of the territory of the Saar Basin, as dealt with in the present stipulations, will be fixed as follows: . . .

A Commission composed of five members, one appointed by France, one by Germany, and three by the Council of the League of Nations, which will select nationals of other Powers, will be constituted within fifteen days from the coming into force of the present Treaty, to trace on the spot the frontier line described above. . . .—Art. 48, *Treaty of Peace with Germany*.

Germany renounces in favor of the League of Nations, in the capacity of trustee, the government of the [Saar Basin] territory defined above.

At the end of fifteen years from the coming into force of the present Treaty the inhabitants of the said territory shall be called upon to indicate the sovereignty under which they desire to be placed.—Art. 49, *Treaty of Peace with Germany*.

The Government of the territory of the Saar Basin shall be intrusted to a Commission representing the League of Nations. This Commission shall sit in the territory of the Saar Basin.

The Governing Commission provided for by paragraph 16 shall consist of five members chosen by the Council of the League of Nations, and will include one citizen of France, one native inhabitant of the Saar Basin,

not a citizen of France, and three members belonging to three countries other than France or Germany.

The members of the Governing Commission shall be appointed for one year and may be re-appointed. They can be removed by the Council of the League of Nations, which will provide for their replacement.

The members of the Governing Commission will be entitled to a salary which will be fixed by the Council of the League of Nations, and charged on the local revenues.

The Chairman of the Governing Commission shall be appointed for one year from among the members of the Commission by the Council of the League of Nations and may be reappointed.

The Chairman will act as the executive of the Commission.—Art. 50, Annex, pars. 16-18, *Treaty of Peace with Germany*.

At the termination of a period of fifteen years from the coming into force of the present Treaty, the population of the territory of the Saar Basin will be called upon to indicate their desires in the following manner:

A vote will take place by communes or districts, on the three following alternatives: (a) maintenance of the régime established by the present Treaty and by this Annex; (b) union with France; (c) union with Germany.

All persons without distinction of sex, more than twenty years old at the date of the voting, resident in the territory at the date of the signature of the present Treaty, will have the right to vote.

The other conditions, methods and the date of the voting shall be fixed by the Council of the League of Nations in such a way as to secure the freedom, secrecy and trustworthiness of the voting.

The League of Nations shall decide on the sovereignty under which the territory is to be placed, taking into account the wishes of the inhabitants as expressed by the voting:

(a) If, for the whole or part of the territory, the League of Nations decides in favor of the maintenance of the régime established by the present Treaty and this Annex, Germany hereby agrees to make such renunciation of her sovereignty in favor of the League of Nations as the latter shall deem necessary. It will be the duty of the League of Nations to take appropriate steps to adapt the régime definitively adopted to the permanent welfare of the territory and the general interest;

(b) If, for the whole or part of the territory, the League of Nations decides in favor of union with France, Germany hereby agrees to cede to France in accordance with the decision of the League of Nations all rights and title over the territory specified by the League;

(c) If, for the whole or part of the territory, the League of Nations decides in favor of union with Germany, it will be the duty of the League of Nations to cause the German Government to be re-established in the government of the territory specified by the League.

If the League of Nations decides in favor of the union of the whole or part of the territory of the Saar Basin with Germany, France's rights of ownership in the mines situated in such part of the territory will be repurchased by Germany in their entirety at a price payable in gold. The price to be paid will be fixed by three experts, one nominated by Germany, one by France, and one, who shall be neither a Frenchman nor a German, by the Council of the League of Nations; the decision of the experts will be given by a majority. . . .

If, in consequence of the repurchase provided for in paragraph 36, the ownership of the mines or any part of them is transferred to Germany, the French State and French nationals shall have the right to purchase such amount of coal of the Saar Basin as their industrial and domestic needs are found at that time to require. An equitable arrangement regarding amounts of coal, duration of contract, and prices will be fixed in due time by the Council of the League of Nations.

The Council of the League of Nations shall make such provisions as may be necessary for the establishment of the régime which is to take effect after the decisions of the League of Nations mentioned in paragraph 35 have become operative, including an equitable apportionment of any obligations of the Government of the territory of the Saar Basin arising from loans raised by the Commission or from other causes. . . .

In all matters dealt with in the present Annex, the decisions of the Council of the League of Nations will be taken by a majority.—Art. 50, Annex, pars. 34-40, *Treaty of Peace with Germany*.

The Principal Allied and Associated Powers undertake to establish the town of Danzig, together with the rest of the territory described in Article 100, as a Free City. It will be placed under the protection of the League of Nations.—Art. 102, *Treaty of Peace with Germany*.

A constitution for the Free City of Danzig shall be drawn up by the duly appointed representatives of the Free City in agreement with a High Commissioner to be appointed by the League of Nations. This constitution shall be placed under the guaranty of the League of Nations.—Art. 103, *Treaty of Peace with Germany*.

There shall be instituted, under the name of the International Commission for Air Navigation and as part of the organization of the League of Nations, a permanent Commission composed of:

Two representatives of each of the following States: The United States of America,¹ France, Italy, and Japan;

One representative of Great Britain and one of each of the British Dominions and India;

¹The United States did not sign the convention with the other negotiating Powers on October 13, 1919.

One representative of each of the other contracting States.

Each of the five States first-named (Great Britain, the British Dominions and India counting for this purpose as one State) shall have the least whole number of votes which, when multiplied by five, will give a product exceeding by at least one vote the total number of votes of all the other contracting States.

All the States other than the five first-named shall have each one vote.—*Art. 35, International Air Navigation Convention.*

Within a period of three months from the entry into force of the present Convention a mixed Commission [for supervising and facilitating voluntary emigration] shall be created, composed of one member nominated by each of the contracting States concerned and of an equal number of members of a different nationality, from among whom the president shall be chosen, and who shall be nominated by the Council of the League of Nations.—*Art. 8, Convention between Greece and Bulgaria respecting reciprocal emigration.*

b. OFFICES UNDER THE LEAGUE

A Central International Office, placed under the control of the League of Nations, shall be established for the purpose of collecting and preserving documents of all kinds exchanged by the High Contracting Parties with regard to the trade in, and distribution of, the arms and ammunition specified in the present Convention.

Each of the High Contracting Parties shall publish an annual report showing the export licenses which it may have granted, together with the quantities and destination of the arms and ammunition to which the export licenses referred. A copy of this report shall be sent to the Central International Office and to the Secretary-General of the League of Nations.

Further, the High Contracting Parties agree to send to the Central International Office and to the Secretary-General of the League of Nations full statistical information as to the quantities and destination of all arms and ammunition exported without license.—*Art. 5, Convention for the Control of the Trade in Arms and Ammunition.*

A Central International Office, placed under the control of the League of Nations, shall be established for the purpose of collecting and preserving documents of all kinds exchanged by the High Contracting Parties with regard to the importation and manufacture of spirituous liquors under the conditions referred to in the present Convention.

Each of the High Contracting Parties shall publish an annual report showing the quantities of spirituous beverages imported or manufactured and the duties levied under Articles 4 and 5. A copy of this report shall

be sent to the Central International Office and to the Secretary-General of the League of Nations.—Art. 7, *Convention relating to the Liquor Traffic in Africa*.

4. ACTION OF THE LEAGUE

a. FUTURE DECISIONS

During the six months after the coming into force of this Treaty, registers will be opened by the Belgian authority at Eupen and Malmédy in which the inhabitants of the above territory will be entitled to record in writing a desire to see the whole or part of it remain under German sovereignty.

The results of this public expression of opinion will be communicated by the Belgian Government to the League of Nations, and Belgium undertakes to accept the decision of the League.—Art. 34, *Treaty of Peace with Germany*.

Up till the time at which Germany is admitted as a member of the League of Nations the German Army must not possess an armament greater than the amounts fixed in Table No. II annexed to this Section, with the exception of an optional increase not exceeding one twenty-fifth part for small arms and one-fiftieth part for guns, which shall be exclusively used to provide for such eventual replacements as may be necessary.

Germany agrees that after she has become a member of the League of Nations the armaments fixed in the said Table shall remain in force until they are modified by the Council of the League. Furthermore she hereby agrees strictly to observe the decisions of the Council of the League on this subject.—Art. 164, *Treaty of Peace with Germany*.

The obligations imposed on Germany by Chapter I [customs regulations, duties and restrictions] and by Articles 271 and 272 of Chapter II [shipping] above shall cease to have effect five years from the date of the coming into force of the present Treaty, unless otherwise provided in the text, or unless the Council of the League of Nations shall, at least twelve months before the expiration of that period, decide that these obligations shall be maintained for a further period with or without amendment.

Article 276 of Chapter IV [treatment of nationals of Allied and Associated Powers] shall remain in operation, with or without amendment, after the period of five years for such further period, if any, not exceeding five years, as may be determined by a majority of the Council of the League of Nations.—Art. 280, *Treaty of Peace with Germany*.

Article 292, *Treaty of Peace with Austria*, has as second paragraph: "Nevertheless it is agreed that unless the League of Nations decides otherwise an Allied or Asso-

ciated Power shall not after the expiration of three years from the coming into force of the present Treaty be entitled to require the fulfilment by Austria of the provisions of Articles 217, 218, 219 or 220 [customs regulations, duties and restrictions] unless that Power accords correlative treatment to Austria."

Article 160, Treaty of Peace with Bulgaria, *mutatis mutandis* with Austria.

The conditions of the transfer [to mandatory Powers of reserves attributable to the performance of obligations of social or state insurance] will be determined by special conventions to be concluded between the German Government and the Governments concerned.

In case these special conventions are not concluded in accordance with the above paragraph within three months after the coming into force of the present Treaty, the conditions of transfer shall in each case be referred to a Commission of five members, one of whom shall be appointed by the German Government, one by the other interested Government and three by the Governing Body of the International Labor Office from the nationals of other States. This Commission shall by majority vote within three months after appointment adopt recommendations for submission to the Council of the League of Nations, and the decisions of the Council shall forthwith be accepted as final by Germany and the other Government concerned.—Art. 312, *Treaty of Peace with Germany*.

Article 275, Treaty of Peace with Austria, *mutatis mutandis*, and applying "to any Power to which territory of the former Austro-Hungarian monarchy is transferred, or which arises from the dismemberment of that monarchy."

Article 203, Treaty of Peace with Bulgaria, *mutatis mutandis* as to Austria.

The régime set out in Articles 332 to 337 above shall be superseded by one to be laid down in a General Convention drawn up by the Allied and Associated Powers, and approved by the League of Nations, relating to the waterways recognized in such Convention as having an international character. This Convention shall apply in particular to the whole or part of the above-mentioned river systems of the Elbe (*Labe*), the Oder (*Odra*), the Niemen (*Russstrom-Memel-Niemen*), and the Danube, and such other parts of these river systems as may be covered by a general definition.

Germany undertakes, in accordance with the provisions of Article 379, to adhere to the said General Convention as well as to all projects prepared in accordance with Article 343 below for the revision of existing international agreements and regulations.—Art. 338, *Treaty of Peace with Germany*.

Article 299, Treaty of Peace with Austria, *mutatis mutandis*, and applying to "the river system of the Danube."

Article 227, Treaty of Peace with Bulgaria, *mutatis mutandis* as to Austria.

b. CONTINGENT ON EVENTS

Germany and Poland undertake, within one year of the coming into force of this Treaty, to enter into conventions of which the terms, in case of difference, shall be settled by the Council of the League of Nations, with the object of securing, on the one hand to Germany full and adequate railroad, telegraphic and telephonic facilities for communication between the rest of Germany and East Prussia over the intervening Polish territory, and on the other hand to Poland full and adequate railroad, telegraphic and telephonic facilities for communication between Poland and the Free City of Danzig over any German territory that may, on the right bank of the Vistula, intervene between Poland and the Free City of Danzig.—Art. 98, *Treaty of Peace with Germany*.

So long as the present Treaty remains in force, Germany [as respects the military, naval and air clauses] undertakes to give every facility for any investigation which the Council of the League of Nations, acting if need be by a majority vote, may consider necessary.—Art. 213, *Treaty of Peace with Germany*.

Article 159, *Treaty of Peace with Austria*, which "undertakes to submit to any investigation," etc.

Article 104, *Treaty of Peace with Bulgaria*, which "undertakes to submit to any investigation," etc.

(a) Within three months from the date of the coming into force of the present Treaty, a Mixed Arbitral Tribunal shall be established between each of the Allied and Associated Powers on the one hand and Germany on the other hand. Each such Tribunal shall consist of three members. Each of the Governments concerned shall appoint one of these members. The President shall be chosen by agreement between the two Governments concerned.

In case of failure to reach agreement, the President of the Tribunal and two other persons, either of whom may in case of need take his place, shall be chosen by the Council of the League of Nations. . . . These persons shall be nationals of Powers that have remained neutral during the war. . . .—Art. 304, *Treaty of Peace with Germany*.

Article 256, *Treaty of Peace with Austria*, and Article 188, *Treaty of Peace with Bulgaria*, *mutatis mutandis*.

At any time the League of Nations may recommend the revision of such of these Articles as relate to a permanent administrative régime [of ports, railways and waterways].—Art. 377, *Treaty of Peace with Germany*.

Article 329, *Treaty of Peace with Austria*, and Article 246, *Treaty of Peace with Bulgaria*, *mutatis mutandis*.

The stipulations in Articles 321 to 330, 332, 365, and 367 to 369 shall be subject to revision by the Council of the League of Nations at any time after five years from the coming into force of the present Treaty.

Failing such revision, no Allied or Associated Power can claim after the expiration of the above period of five years the benefit of any of the stipulations in the Articles enumerated above on behalf of any portion of its territories in which reciprocity is not accorded in respect of such stipulations. The period of five years during which reciprocity can not be demanded may be prolonged by the Council of the League of Nations.—*Art. 378, Treaty of Peace with Germany.*

Article 330, *Treaty of Peace with Austria*, with reference to Articles 284 to 290, 293, 312, 314 to 316 and 326. The period is "three years."

Article 247, *Treaty of Peace with Bulgaria*, with reference to Articles 212 to 218, 221, 236, and 238 to 240. The period is "three years."

The technical, administrative and financial conditions under which the rights of the Czecho-Slovak State shall be exercised shall be laid down in a Convention between the railway administration of the Czecho-Slovak State and the railway administrations of the Austrian systems concerned. If the administrations can not come to an agreement on the terms of this Convention, the points of difference shall be decided by an arbitrator nominated by Great Britain, and his decisions shall be binding on all parties.

In the event of disagreement as to the interpretation of the Convention or of difficulties arising unprovided for in the Convention, the same form of arbitration will be adopted until such time as the League of Nations may lay down some other procedure.—*Art. 324, Treaty of Peace with Austria.*

c. CONTINGENT ON REQUEST

Germany acknowledges and will respect strictly the independence of Austria, within the frontiers which may be fixed in a Treaty between that State and the Principal Allied and Associated Powers; she agrees that this independence shall be inalienable, except with the consent of the Council of the League of Nations.—*Art. 80, Treaty of Peace with Germany.*

The independence of Austria is inalienable otherwise than with the consent of the Council of the League of Nations. Consequently Austria undertakes in the absence of the consent of the said Council to abstain from any act which might directly or indirectly or by any means whatever compromise her independence, particularly, and until her admission to membership of the League of Nations, by participation in the affairs of another Power.—*Art. 88, Treaty of Peace with Austria.*

On a request being made to the League of Nations by any riparian

State, the Niemen (*Russstrom-Memel-Niemen*) shall be placed under the administration of an International Commission, which shall comprise one representative of each riparian State, and three representatives of other States specified by the League of Nations.—Art. 342, *Treaty of Peace with Germany*.

Without prejudice to the special obligations imposed on her by the present Treaty for the benefit of the Allied and Associated Powers, Germany undertakes to adhere to any General Conventions regarding the international régime of transit, waterways, ports or railways which may be concluded by the Allied and Associated Powers, with the approval of the League of Nations, within five years of the coming into force of the present Treaty.—Art. 379, *Treaty of Peace with Germany*.

Article 331, *Treaty of Peace with Austria*, and Article 248, *Treaty of Peace with Bulgaria*, *mutatis mutandis*.

Poland undertakes to adhere, within twelve months of the coming into force of the present Treaty, to the International Conventions specified in Annex I.

Poland undertakes to adhere to any new convention concluded with the approval of the Council of the League of Nations within five years of the coming into force of the present Treaty, to replace any of the international instruments specified in Annex I.

The Polish Government undertakes within twelve months to notify the Secretary-General of the League of Nations whether or not Poland desires to adhere to either or both of the International Conventions specified in Annex II. . . .

ANNEX I

TELEGRAPHIC AND RADIOTELEGRAPHIC CONVENTIONS

International Telegraphic Convention signed at St. Petersburg July 10/22, 1875.

Regulations and tariffs drawn up by the International Telegraph Conference, signed at Lisbon, June 11, 1908.

International Radiotelegraphic Convention, July 5, 1912.

RAILWAY CONVENTIONS

Conventions and arrangements signed at Bern on October 14, 1890, September 20, 1893, July 16, 1895, June 16, 1898, and September 19, 1906, and the current supplementary provisions made under those Conventions.

Agreement of May 15, 1886, regarding the sealing of railway trucks subject to customs inspection, and Protocol of May 18, 1907.

Agreement of May 15, 1886, regarding the technical standardization of railways, as modified on May 18, 1907.

SANITARY CONVENTION

Convention of December 3, 1903.

OTHER CONVENTIONS

Convention of September 26, 1906, for the suppression of night work for women.

Convention of September 26, 1906, for the suppression of the use of white phosphorus in the manufacture of matches.

Convention of May 18, 1904, and May 4, 1910, regarding the suppression of the white slave traffic.

Convention of May 4, 1910, regarding the suppression of obscene publications.

International convention of Paris of March 20, 1883, as revised at Washington in 1911, for the protection of industrial property.

International Convention of September 9, 1886, revised at Berlin on November 13, 1908, and completed by the additional Protocol signed at Bern on March 20, 1914, for the protection of literary and artistic work.

ANNEX II

Agreement of Madrid of April 14, 1891, for the prevention of false indications of origin on goods, revised at Washington in 1911.

And agreement of Madrid of April 14, 1891, for the international registration of trade marks, revised at Washington in 1911.—Art. 18, *Treaty of Peace with Poland*.

Article 20, Treaty with Czecho-Slovakia, *mutatis mutandis*, annex including the Postal Conventions and Agreements of 1891, 1897 and 1906.

Within the prohibited areas specified in Article 6, a State which is compelled to utilize the territory of a contiguous State for the importation of arms or ammunition, whether complete or in parts, or of material or of articles intended for armament, shall be authorized on request to have them transported across the territory of such State.

It shall, however, when making any such request, furnish guaranties that the said articles are required for the needs of its own Government, and will at no time be sold, transferred or delivered for private use nor used in any way contrary to the interests of the High Contracting Parties.

Any violation of these conditions shall be formally established in the following manner:

(b) If the importing State has been placed under the mandatory system established by the League of Nations, the proof of the violation shall be furnished by one of the High Contracting Parties or on its own initiative by the Mandatory Power. The latter shall then notify or demand, as the case may be, the suspension and future refusal of all transit licenses.

In cases where a violation has been duly proved, no further transit license shall be granted to the offending State without the previous consent of the Council of the League of Nations. . . .—Art. 10, *Convention for the Control of the Trade in Arms and Ammunition*.

5. EQUALITY AMONG MEMBERS

In fixing the conditions and hours of labor for men, women and children, the Governing Commission [of the Saar Basin] is to take into consideration the wishes expressed by the local labor organizations, as well as the principles adopted by the League of Nations.—Art. 50, Annex, par. 23, *Treaty of Peace with Germany*.

Article 1. The Signatory Powers undertake to maintain between their respective nationals and those of States, Members of the League of Nations, which may adhere to the present Convention a complete commercial equality in the territories under their authority within the area [of the basin of the Kongo and adjacent territories], but subject to the reservation specified in the final paragraph of [Article 1 of the General Act of Berlin of February 26, 1885].

Article 2. Merchandise belonging to the nationals of the Signatory Powers, and to those of States, Members of the League of Nations, which may adhere to the present Convention, shall have free access to the interior of the regions specified in Article 1. No differential treatment shall be imposed upon the said merchandise on importation or exportation, the transit remaining free from all duties, taxes, or dues, other than those collected for services rendered.

Vessels flying the flag of any of the said Powers shall also have access to all the coast and to all maritime ports in the territories specified in Article 1; they shall be subject to no differential treatment. . . .

Article 3. In the territories specified in Article 1 and placed under the authority of one of the Signatory Powers, the nationals of those Powers, or of States, Members of the League of Nations, which may adhere to the present Convention, shall, subject only to the limitations necessary for the maintenance of public security and order, enjoy without distinction the same treatment and the same rights as the nationals of the Power exercising authority in the territory, with regard to the protection of their persons and effects, with regard to the acquisition and transmission of

their movable and real property, and with regard to the exercise of their professions.

Article 4. Each State reserves the right to dispose freely of its property and to grant concessions for the development of the natural resources of the territory, but no regulation on these matters shall admit of any differential treatment between the nationals of the Signatory Powers and of States, Members of the League of Nations, which may adhere to the present Convention.

Article 5. Subject to the provisions of the present chapter, the navigation of the Niger, of its branches and outlets, and of all the rivers, and of their branches and outlets, within the territories specified in Article 1, as well as of the lakes situated within those territories, shall be entirely free for merchant vessels and for the transport of goods and passengers.

Craft of every kind belonging to the nationals of the Signatory Powers and of States, Members of the League of Nations, which may adhere to the present Convention shall be treated in all respects on a footing of perfect equality.

Article 7. The affluents of the rivers and lakes specified in Article 5 shall in all respects be subject to the same rules as the rivers or lakes of which they are tributaries. The roads, railways or lateral canals which may be constructed with the special object of obviating the innavigability or correcting the imperfections of the water route on certain sections of the rivers and lakes specified in Article 5, their affluents, branches and outlets, shall be considered, in their quality of means of communication, as dependencies of these rivers and lakes, and shall be equally open to the traffic of the nationals of the Signatory Powers and of the States, Members of the League of Nations, which may adhere to the present Convention.

On these roads, railways and canals only such tolls shall be collected as are calculated on the cost of construction, maintenance and management, and on the profits reasonably accruing to the undertaking. As regards the tariff of these tolls, the nationals of the Signatory Powers and of States, Members of the League of Nations, which may adhere to the present Convention, shall be treated on a footing of perfect equality.

Article 11. The Signatory Powers exercising sovereign rights or authority in African territories will continue to watch over the preservation of the native populations and to supervise the improvement of the conditions of their moral and material well-being. They will, in particular, endeavor to secure the complete suppression of slavery in all its forms and of the slave trade by land and sea.

They will protect and favor, without distinction of nationality or of religion, the religious, scientific or charitable institutions and undertakings created and organized by the nationals of the other Signatory

Powers and of States, Members of the League of Nations, which may adhere to the present Convention, which aim at leading the natives in the path of progress and civilization. Scientific missions, their property and their collections, shall likewise be the objects of special solicitude.

Freedom of conscience and the free exercise of all forms of religion are expressly guaranteed to all nationals of the Signatory Powers and to those under the jurisdiction of States, Members of the League of Nations, which may become parties to the present Convention. Similarly, missionaries shall have the right to enter into, and to travel and reside in, African territory with a view to prosecuting their calling.

The application of the provisions of the two preceding paragraphs shall be subject only to such restrictions as may be necessary for the maintenance of public security and order, or as may result from the enforcement of the constitutional law of any of the Powers exercising authority in African territories.

Article 14. States exercising authority over African territories, and other States, Members of the League of Nations, which were parties either to the Act of Berlin or to the Act of Brussels or the Declaration annexed thereto, may adhere to the present Convention. The Signatory Powers will use their best endeavors to obtain the adhesion of these States. . . .—*Convention revising the General Act of Berlin, February 26, 1885, and the General Act and Declaration of Brussels, July 2, 1890.*

The High Contracting Parties will use their best endeavors to secure the accession to the present Convention of other States, Members of the League of Nations. . . .—*Art. 23, Convention for the Control of the Trade in Arms and Ammunition.*

Poland [Czecho-Slovakia,¹ Serb-Croat-Slovene State,² Rumania³] undertakes to make no treaty, convention or arrangement, and to take no other action, which will prevent her from joining in any general agreement for the equitable treatment of the commerce of other States that may be concluded under the auspices of the League of Nations within five years from the coming into force of the present Treaty.

Poland [etc.] also undertakes to extend to all the Allied and Associated States any favors or privileges in customs matters which she may grant during the same period of five years to any State with which, since August, 1914, the Allies have been at war, or to any State which may have concluded with Austria special customs arrangements as provided for in the Treaty of Peace to be concluded with Austria.—*Art. 15, Treaty of Peace with Poland.*

Pending the conclusion under the auspices of the League of Nations of a general convention to secure and maintain freedom of communica-

¹Art. 17.²Art. 13.³Art. 13.

tions and of transit, Poland [Czecho-Slovakia,¹ Serb-Croat-Slovene State,² Rumania³] undertakes to accord freedom of transit to persons, goods, vessels, carriages, wagons, and mails in transit to or from any Allied or Associated State over Polish [etc.] territory, including territorial waters, and to treat them at least as favorably as the persons, goods, vessels, carriages, wagons and mails respectively of Poland [etc.] or of any other more favored nationality, origin, importation or ownership, as regards facilities, charges, restrictions and all other matters.

All charges imposed in Poland [etc.] on such traffic in transit shall be reasonable, having regard to the conditions of the traffic. Goods in transit shall be exempt from all customs or other duties. Tariffs for transit traffic across Poland [etc.] and tariffs between Poland [etc.] and any Allied or Associated Power, involving through tickets or way-bills, shall be established at the request of that Allied or Associated Power.

Freedom of transit will extend to postal, telegraphic, and telephonic services.

It is agreed that no Allied or Associated Power can claim the benefit of these provisions on behalf of any part of its territory in which reciprocal treatment is not accorded in respect of the same subject matter.

If within a period of five years from the coming into force of the present treaty no general convention as aforesaid shall have been concluded under the auspices of the League of Nations, Poland [etc.] shall be at liberty at any time thereafter to give twelve months' notice to the Secretary-General of the League of Nations to terminate the obligations of this article.—Art. 17, *Treaty of Peace with Poland*.

All rights and privileges accorded by the foregoing articles to the Allied or Associated States shall be accorded equally to all States Members of the League of Nations.—Art. 20, *Treaty of Peace with Poland*.

Article 21, Treaty with Czecho-Slovakia, *mutatis mutandis*; Article 16, Treaty with the Serb-Croat-Slovene State, Article 17; Treaty with Rumania, *mutatis mutandis*.

6. REGISTRATION WITH THE SECRETARY-GENERAL

If the capturing officer, or the authorities to whom he is subject, do not accept the decision or contest the amount of the compensation awarded [for detention of a vessel engaged in trade in arms and ammunition], the dispute shall be submitted to a court of arbitration consisting of one arbitrator appointed by the Government whose flag the vessel was flying,

¹Art. 19; omits "including territorial waters."

²Art. 15.

³Art. 15.

one appointed by the Government of the capturing officer, and an umpire chosen by the two arbitrators thus appointed. . . .

The decision shall be communicated to the Central Office and to the Secretary-General of the League of Nations.—Art. 21, *Convention for the Control of the Trade in Arms and Ammunition*.

The High Contracting Parties who exercise authority over territories within the prohibited areas and zone specified in Article 6 agree to take, so far as each may be concerned, the measures required for the enforcement of the present Convention, and in particular for the prosecution and repression of offenses against the provisions contained therein.

They shall communicate these measures to the Central Office and to the Secretary-General of the League of Nations, and shall inform them of the competent authorities referred to in the preceding Articles.—Art. 22, *Convention for the Control of the Trade in Arms and Ammunition*.

7. REFERENCES TO LEAGUE

In the case of the former German territories, including colonies, protectorates or dependencies, administered by a Mandatory under Article 22 of Part I (League of Nations) of the present Treaty, neither the territory nor the Mandatory Power shall be charged with any portion of the debt of the German Empire or States.

All property and possessions belonging to the German Empire or to the German States situated in such territories shall be transferred with the territories to the Mandatory Power in its capacity as such and no payment shall be made nor any credit given to those Governments in consideration of this transfer.

For the purposes of this Article the property and possessions of the German Empire and of the German States shall be deemed to include all the property of the Crown, the Empire or the States and the private property of the former German Emperor and other Royal personages.—Art. 257, *Treaty of Peace with Germany*.

The obligations imposed by the preceding provisions [aerial navigation] shall remain in force until January 1, 1923, unless before that date Germany shall have been admitted into the League of Nations or shall have been authorized, by consent of the Allied and Associated Powers, to adhere to the Convention relative to Aerial Navigation concluded between those Powers.—Art. 320, *Treaty of Peace with Germany*.

Article 283, *Treaty of Peace with Austria*, and Article 211, *Treaty of Peace with Bulgaria*, *mutatis mutandis*.

Except where otherwise provided in the present Treaty, in all cases where the Treaty provides for the settlement of a question affecting

particularly certain States by means of a special convention to be concluded between the States concerned, it is understood by the High Contracting Parties that difficulties arising in this connection shall, until Austria is admitted to membership of the League of Nations, be settled by the Principal Allied and Associated Powers.—Art. 380, *Treaty of Peace with Austria*.

The British Dominions and India are deemed to be States for the purposes of the present Convention.

Protectorates, or territories administered by the League of Nations or placed under its control, are, for the purposes of the present Convention, deemed to form part of the Protecting or Mandatory States, both as regards their territory and as regards their nationals.—Art. 41, *International Air Navigation Convention*.