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the Council and the Members  
of the League.]

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LEAGUE OF NATIONS

**REPORT ON THE  
WORK OF THE LEAGUE  
1935/36**

**Part I.**

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**NOTE BY THE SECRETARY-GENERAL.**

*The Annual Report on the Work of the League will, as in previous years, be issued in two parts.*

*Part I gives an account of the work of the League from the ordinary session of the Assembly held in September 1935 up to the period of the Council and Assembly meetings convened at Geneva on June 26th and 30th respectively.*

*Part II, to be issued in September 1936, will contain an account of the work of the League from the end of June 1936 up to the seventieth session of the Assembly.*

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1.

POLITICAL QUESTIONS.

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I. DISPUTE BETWEEN COLOMBIA AND PERU.<sup>1</sup>

The instruments of ratification of the Protocol signed by Colombia and Peru at Rio de Janeiro in May 1934 were exchanged at Bogota on September 27th, 1935. The so-called Leticia dispute, which had been submitted to the League by Colombia, was thus brought to an end.

In this connection, the Colombian Government expressed its "appreciation" of the League's "beneficent action on behalf of international harmony", while the Peruvian Government recorded its "gratitude for the effective action of the League in the satisfactory settlement of the dispute".<sup>2</sup>

II. DISPUTE BETWEEN BOLIVIA AND PARAGUAY.

The Buenos Aires Peace Conference, at which, in addition to Bolivia and Paraguay, the Argentine Republic, Brazil, Chile, Peru, the United States of America and Uruguay are represented, has continued its proceedings since the Assembly's last session.<sup>3</sup>

The Argentine Foreign Minister, who is President of the Conference, has notified the League of the further agreements<sup>4</sup> concluded there.

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<sup>1</sup> See previous annual report (document A.6.1935), pages 16 and 17.

<sup>2</sup> Documents C.399.M.196.1935.VII and C.402.M.198.1935.VII.

<sup>3</sup> See previous annual report, Part II (document A.6.1935, page 11).

<sup>4</sup> *Official Journal*, December 1935, pages 1648 ff., and March 1936, pages 279 ff.

*Determination of War Responsibilities.*

On October 2nd, the Peace Conference took note of the decision setting up an International Commission under the Protocol of June 12th, 1935, to determine the responsibilities of every sort or kind arising out of the war.

The Commission was to be constituted within ninety days and to publish its findings within fifteen months from the date on which it began its work. The latter time-limit was to be open to extension by agreement between the two parties.

The Commission was to consist of three members, appointed as follows: the Governments of Bolivia and Paraguay were each to ask the Government of an American State to appoint a judge from one of its highest courts, while the President of the Commission was to be appointed by the Supreme Court of the United States of America and was to be a member either of that Court or of one of the highest courts of the United States. The Commission's findings were to be accompanied by a statement of reasons, and adopted by a majority vote. They were to be regarded as having been accepted and to acquire full force if, within thirty days after notification to the Governments of Bolivia and Paraguay, neither of those Governments had intimated that it rejected them. In that case, subject to the possibility of mediation by the six neutral Powers represented at the Buenos Aires Conference, the case was to be examined and decided in the last resort by the Permanent Court of International Justice at The Hague, in conformity with its Statute.

When approving the draft organisation of the International Commission on Responsibilities, the Peruvian delegation renewed in full the declaration it had made at the Peace Conference concerning the incompatibility which, in its opinion, existed between the functions of a mediator and the function of member of the International Commission exercised, directly or indirectly, by the Governments of the mediating States.

*Decision declaring the War between Bolivia and Paraguay to be at an End.*

On October 25th, 1935, the delegates of the six mediating Powers decided to adopt, at a plenary meeting of the Conference



to be held on the 28th in the presence of the representatives of Bolivia and Paraguay, a resolution in the following terms:<sup>1</sup>

“ In consideration of the provisions of the Protocol of Peace of the twelfth day of June, one thousand nine hundred and thirty-five, which stipulates that the war be declared at an end as soon as the measures of security specified in Article III have been carried out ;

“ Whereas the Neutral Military Commission responsible for superintending the execution of the said measures of security informed the Conference in its reports of October 18th of this year :

“ (1) That the demobilisation of the belligerent armies has been completed in the form decided by the said Commission, within ninety days of the date of the fixing of the line of separation between the armies ;

“ (2) That the military effectives of the armies of Bolivia and Paraguay have been reduced to less than five thousand men ;

“ (3) That the two parties have fulfilled their obligation not to make new acquisitions of warlike material ;

“ (4) That the two parties have carried out their undertaking of non-aggression ;

“ Whereas the said undertaking of non-aggression given by the parties precludes the renewal of hostilities ;

“ And whereas, finally, the state of war has ceased to exist owing to the final cessation of hostilities and the impossibility of their resumption ;

“ The Peace Conference decides to declare the war between the Republics of Bolivia and Paraguay at an end.”

*Appeal to the Governments of Bolivia and Paraguay for a Pacific Settlement of Outstanding Questions.*

At the same time, the delegates of the six mediating Powers decided to adopt the following declaration :<sup>1</sup>

“ The Peace Conference, in declaring the war between the Republics of Bolivia and Paraguay at an end, in accordance with Article III of the Protocol of June 12th, 1935 ;

“ Whereas, now that the military aspect of the conflict no longer exists, it is the duty of the parties and the mediators to continue to study the questions at issue, the Conference, discharging the functions assigned to it under Article I of the above-mentioned Protocol and convinced that the situation is favourable for the

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<sup>1</sup> See *Official Journal*, December 1935, page 1651.

final settlement of all differences outstanding between the two countries ;

“ Decides to make a supreme appeal to the Republics of Bolivia and Paraguay to unite their efforts with those of the mediators in the lofty aim of finding as soon as possible a pacific solution for all the differences still outstanding between the two nations.”

*Repatriation of Prisoners of War and Agreement to resume Diplomatic Relations.*

On January 21st, 1936, the Peace Conference adopted a Declaration and a Protocol.

The Declaration recommended the parties to agree to maintain the measures of security provided for in the Protocol of June 12th, 1935 ; to take, as soon as possible, such steps as might be necessary for the return of all prisoners ; and to arrange for the resumption of diplomatic relations between the two countries.

The Protocol, signed by the plenipotentiaries of Bolivia and Paraguay, gave effect to this Declaration. It was to be submitted for legislative approval to the Congresses of the two countries, and the return of the respective prisoners of war was to begin within thirty days of the date of the last legislative approval of the Protocol. Taking into account the number of prisoners and the expenditure involved, the two Governments had arrived at a compromise whereby Bolivia was to pay Paraguay approximately £132,000 sterling.

This Protocol was approved by the Congresses of both countries on February 8th, 1936.

**III. CLAIM BY THE FINNISH GOVERNMENT AGAINST THE UNITED KINGDOM GOVERNMENT IN RESPECT OF FINNISH SHIPS USED BY THE UNITED KINGDOM GOVERNMENT DURING THE WAR.<sup>1</sup>**

On September 13th, 1935, the Council considered a report<sup>2</sup> by a Committee consisting of the representatives of Spain, the Argentine Republic and Czechoslovakia, on the question of

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<sup>1</sup> For the earlier history of the question, see the previous annual reports, documents A.6.1934, page 32, and A.6.1935, page 21.

<sup>2</sup> See *Official Journal*, November 1935, pages 1160 *et seq.*

whether, having regard to all the circumstances mentioned in the course of the discussion, the Council should continue to apply Article 11, paragraph 2, of the Covenant to the Finnish Government's claim against the United Kingdom Government in respect of Finnish ships used by the latter Government during the war.

The Committee, whose Chairman was M. de Madariaga, observed that it was not in dispute that the Council could deal with the request which the Finnish Government had made in the legitimate exercise of its rights, because, when a question was referred to the Council by a Member of the League under Article 11, no legal limitation could be placed on the Council's jurisdiction on the ground of the nature of the case. In the present case, however, the Council could not erect itself into an international tribunal or take a decision, without arrogating to itself powers of arbitration which were not conferred by Article 11, paragraph 2, of the Covenant. It could only attempt conciliation; but the Committee felt that the discussions that had taken place revealed no basis on which a solution could be recommended. That being so, and desirable though it was that an amicable settlement should be reached in a case between two nations otherwise on such friendly terms, the Committee could only give a negative answer to the question put to it.

Mr. Eden, the United Kingdom representative, accepted the report. M. Holsti, the Finnish representative, spoke against it. M. Munch (Denmark), M. Komarnicki (Poland), and M. Rüstü Aras (Turkey) said that they could agree to the conclusions of the report, since it was not disputed that the Council was entitled to deal with such an application as that made by the Finnish Government.

The question at issue — whether the Council should or should not proceed with the examination of the case — had been stated to be one of procedure, and the Council's decision had therefore to be taken by a majority vote. All the Members — except the Finnish representative, who voted against — accepted the negative conclusion of the report.

#### IV. SETTLEMENT OF THE ASSYRIANS OF IRAQ.<sup>1</sup>

On August 28th, 1935, the French Government forwarded to the Committee of the Council for the Settlement of the Assyrians of Iraq details of the scheme for establishing the Assyrians in the Ghab plain.

This scheme, which was prepared by the services of the French High Commission at Beirut in conjunction with two representatives of the Committee, provided for the reclamation of the Ghab district and the settlement of the Assyrians therein. The district lies in the middle Orontes Valley, where the river forms the boundary between the States of Syria and Latakia. The land is marshy and will have to be drained before it can be used for purposes of settlement. A huge dam, about 2½ kilometres long, is therefore to be built upstream to form a reservoir with a total capacity of 900 million cubic metres. As a result of this work, about 10,000 hectares, 3,000 being marshland and the rest scrub or cultivated land, will be submerged. The marshes of the Ghab on the downstream side of the dam will be drained and irrigated, and thus brought under cultivation. The bed of the river will be deepened and corrected for a distance of 30 kilometres, so as to serve as a general collector, and, at the point where the river leaves the Ghab, a tunnel 900 metres long will be bored through a solid basalt barrier for the discharge of the water. In this way, something like 40,000 hectares of cultivable land will be made available. Of this amount, 15,000 hectares on the left bank of the Orontes will be handed over free of encumbrances for the settlement of the Assyrians, who will eventually acquire ownership on favourable terms.

The cost of these improvements, which were to be completed in about four years, was calculated at 62 million French francs. The actual cost of settling the newcomers in the Ghab is estimated, in the memorandum, at 20,500,000 French francs for 15,000 Assyrians. The total cost of the settlement scheme, including the cost of installing some of the Assyrians provisionally along the Khabur until they can be transferred to the place of

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<sup>1</sup> For the previous history of this question, see previous annual reports (documents A.6.1935, pages 22-24, and A.6(a).1936, pages 11 and 12).

their final settlement in the Ghab, has been estimated at 87,660,000 francs.

Of this total, the Committee of the Council could only count for the moment — apart from 22 million French francs promised by the Levant States under French mandate — on a contribution of £125,000 offered by the Government of Iraq as its share in the cost of settling the Assyrians. The United Kingdom Government, however, was prepared to respond to the special appeal addressed to it on July 13th, 1935, by the Committee of the Council and mentioned an independent grant not exceeding £250,000 if the Government of Iraq would give an equal amount and the League of Nations itself were prepared to make up the rest.

As the financial participation of the League is a matter for the Assembly, the Council — to whom its Committee had submitted a report on the situation — decided on September 13th, 1935, to transmit this report to the Assembly.

The Supervisory Commission, consulted beforehand, had said it could not agree that all the expenditure not covered by contributions from outside sources should be borne by the League. It recommended that the total amount of the League's contribution should be fixed immediately, and proposed a sum of 1,300,000 gold francs. These suggestions were approved by the Assembly.

On September 26th, the Government of Iraq, for its part, announced that it was prepared to increase its contribution *pari passu* with that of the United Kingdom Government up to an amount not exceeding £250,000.

The situation then, was that the following sums had been promised towards a new, and lower, estimated outlay of 86,000,000 French francs: 22,000,000 French francs from the Levant States under French mandate to be applied to the first stage of the work of preparing the Plain of the Ghab, plus an advance of 6,500,000 French francs recoverable on future payments by the Assyrians, to be applied to the second stage of the work, or a total of 28,500,000 French francs; the contributions from the United Kingdom and Iraq — not to exceed £250,000 each, or about 37,500,000 French francs; and, finally, the League's contribution of 1,300,000 Swiss francs, equal approximately to 6,500,000 French francs.

As against a total estimated expenditure of 86 million French francs, the available contributions are thus about 72,500,000

French francs. To meet the deficit of 13,500,000 French francs, the Committee of the Council considered the possibility of a credit operation, based mainly on payments to be made by the Assyrians later, for the purchase of their land. The Committee, however, reached the conclusion that this would not be feasible and that the surplus would have to be obtained by an appeal to private charitable organisations. The results of this appeal will not be known for some time. A national organisation to collect funds for the settlement of the Assyrians has been set up in the United Kingdom with the Archbishop of Canterbury as its Chairman. Towards the end of March 1936, this organisation made a national appeal for funds.

The financial side of the question having thus been settled to the extent that steps could be taken to proceed with the scheme, the Committee resumed its work on this subject. On December 18th, 1935, the Council approved the financial regulations for the control of the Fund and the statutes of a Trustee Board which the Committee of the Council had set up in consultation with the High Commissioner.

In accordance with these regulations, the High Commissioner of the French Republic in Syria and the Lebanon exercises financial and administrative supervision over the public works required to make the Ghab Plain cultivable. The actual work of settlement is entrusted to an autonomous body having its headquarters at Beirut and recognised as a legal entity — the "Trustee Board for the Settlement of the Assyrians", which co-operates with the services of the High Commission. The Trustee Board will assume financial responsibility for the entire settlement operations. Thus, neither the League of Nations nor the High Commissioner will incur any responsibility as a result of these operations. The Trustee Board, co-operating with the High Commission, will arrange for the establishment and administration of the Assyrian colonies. Later on, it will take over the reclaimed land in the Ghab intended for the Assyrians and will be responsible for its administration and allotment.

The Trustee Board consists of three members, one of whom represents and is appointed by the High Commissioner. The Chairman and the third member are appointed by the League Council. As Chairman, the Council chose M. Henri Cuénod, who represented the Nansen Office in China from 1925 to 1935.

The other member appointed by the Council is Dr. Bayard Dodge, President of the Beirut American University, who has kindly consented to act in an honorary capacity. The High Commissioner's representative is Major Duprez, who, in conjunction with the Nansen Office's representative in Syria, has already directed the provisional settlement of the Assyrians along the Khabur. M. Juan de las Barenas has also taken part in the work for the settlement of the Assyrians, both as a temporary member of the Trustee Board and as deputy for M. Cuénod, representing the League Council on the local committee in Iraq.

The Trustee Board entered on its duties on January 1st, 1936. It has prepared the budget for the settlement operations in 1936, and this budget has been approved by the Committee of the Council. Since then, its time has been largely taken up with the question of leasing land for the provisional settlement of Assyrians in the vicinity of the Ghab pending their future installation in the reclaimed plain.

The programme prepared by the Trustee Board and approved by the Committee of the Council provided for the transfer of 8,500 Assyrians in 1936, the remainder to be transferred in 1937. Of these 8,500 Assyrians, 2,500 — mostly members of the tribes already installed along the Khabur — were to be sent to the Khabur region. The other 6,000 were to be sent to the vicinity of the Ghab, where some of them were to be employed as workmen on the improvement scheme. In the detailed memorandum on the Assyrian settlement plan which the French Government communicated on August 28th, 1935, provision is made for the leasing for five years and for 450,000 francs of an estate of 8,500 hectares in the immediate neighbourhood of the Ghab that would suffice for the temporary settlement of about 20,000 Assyrians, who would engage in cereal-growing and sheep-farming. That estate, however, was no longer available when the Trustee Board wished to lease it, and serious difficulty was encountered in finding in the neighbourhood a sufficient quantity of suitable land at a reasonable price.

In these circumstances, the Committee of the Council thought it desirable, in a letter dated April 9th, 1936, to draw the attention of the French Government to the situation, and to ask it to take steps to overcome the difficulties that had arisen.

As it was impossible to obtain land in the vicinity of the

Ghab for the provisional settlement of the 6,000 Assyrians whose transfer thither had been contemplated, the Trustee Board decided that it could not undertake this transfer, which was due to begin in the month of March.

The Government of Iraq having more than once insisted on the necessity for continuing the transfer of the Assyrians, even in small numbers, on account of the nervousness prevailing among them, the Committee of the Council decided on May 8th to assent to the immediate transfer of 2,500 Assyrians to the Khabur area, notwithstanding the fact that, according to programme, this transfer should have only been made in September 1936. These transfers are now taking place and should be completed before July, by which date the number of Assyrians provisionally settled along the Khabur will be 8,500.

At the request of the Chairman of the Committee, the Turkish Government authorised the transit of groups of Assyrians through Turkish territory without making any charge for the requisite visas.

In the meantime, the final adoption of the plan for the settlement of the Assyrians in Syria at last made it possible for the Committee to consult the Assyrians in Iraq individually. The Committee was thus able to ascertain the exact number of Assyrians who would have to be transferred. Owing to various unforeseen circumstances, the local committee in Iraq was unable to begin this enquiry before the middle of December 1935 ; by the end of February 1936, it had practically terminated its enquiry among the inhabitants of the plains. It still had, however, to consult a number of Assyrians, mostly indigenous, living in the mountainous districts along the northern frontier of Iraq. Local conditions made it impossible for the Committee to undertake this task before May.

Among the Assyrians living in the towns and villages of the plains there are relatively few who do not desire to emigrate. The number of Assyrians registered during the consultation in December 1935-February 1936 as desirous of leaving Iraq was 11,650. The local committee estimates at 12,350 the number of Assyrian mountaineers who are at present being questioned on the same subject.<sup>1</sup>

<sup>1</sup> Principal reference documents : C.352.M.179.1935.VII ; C.354.1935.VII ; C.454.M.236.1935.VII ; C.488.M.262.1935.VII.



V. REQUEST OF THE IRAQI GOVERNMENT  
UNDER ARTICLE 11, PARAGRAPH 2, OF THE COVENANT  
OF THE LEAGUE OF NATIONS.<sup>1</sup>

At the Council's meeting on September 28th, 1935, the Rapporteur, Baron Aloisi (Italy), said that, on September 25th, he had received a letter from the representatives of Iraq and Iran stating that the direct negotiations between their countries were progressing favourably, and that they therefore thought it needless to bring the matter before the Council at that session and would ask for an extension of the time-limit allowed for the direct negotiations.

The Rapporteur expressed his gratification at the satisfactory turn taken by the negotiations and proposed that consideration of the matter be deferred. The Council agreed.

At the joint request of the two parties, who were continuing their direct negotiations, the Council, at its sessions in January and May 1936, again adjourned the question.

VI. ITALO-ETHIOPIAN DISPUTE.

A. Development of the Dispute and Action by the Council.

The Assembly adjourned on October 11th, 1935, after fifty Members of the League had acquiesced in the conclusion of a report approved by fourteen Members of the Council on October 7th. In the eyes of these fifty Members, Italy had "resorted to war in disregard of its covenants under Article 12 of the Covenant of the League of Nations".

Having regard to the obligations of Member States under Article 16, and to the desirability of co-ordinating the action which they might severally contemplate, the Assembly recommended that a Committee be set up consisting of one delegate for each Member of the League (other than the parties) to consider and facilitate such co-ordination.

The work of the Co-ordination Committee and its subsidiary bodies, which was essentially of a technical character, is

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<sup>1</sup> For the earlier history of the question, see previous annual report (document A.6.1935, page 32).

described elsewhere,<sup>1</sup> the present chapter being devoted to the development of the dispute and the Council's action.

Under the terms of Article 11 of the Covenant, the League must, in case of war, take "any action that may be deemed wise and effectual to safeguard the peace of nations".

At the meeting of the Council held on October 7th,<sup>2</sup> M. Ruiz Guiñazú, representative of the Argentine Republic, who was then President, made it clear that the Council remained at the disposal of the parties with a view to helping them to establish conditions in which hostilities could be stopped. The representative of Ethiopia, M. Teclé-Hawariate, then stated that his Government was at the disposal of the Council to establish those conditions. At the meeting of the Assembly held on October 10th, he repeated that declaration: "The Ethiopian Government", he said, "is at the disposal of any organ that might be set up by the Council or the Assembly with a view to the immediate cessation of hostilities". On October 11th, M. Beneš, President of the Assembly, in adjourning the proceedings, expressed the hope that the statement made by the President of the Council on October 7th would be accepted by the two parties in the same spirit of collaboration as had actuated the Council.<sup>3</sup>

*Efforts of France and the United Kingdom to bring about  
an Amicable Settlement.*

At the same time, the Governments of France and the United Kingdom, which had been particularly active in seeking to bring about an amicable settlement of the dispute before hostilities broke out, resumed their efforts in that direction.

At the Co-ordination Committee's meeting on November 2nd,<sup>4</sup> after it had been decided that Proposals III and IV (prohibition of the importation of Italian goods; embargo on certain exports to Italy) should come into force on November 18th, M. Laval, the representative of France, announced that he had initiated certain conversations, though he had never had the slightest

<sup>1</sup> See pages 46 *et seq.*

<sup>2</sup> See *Official Journal*, November 1935, pages 1217 *et seq.*

<sup>3</sup> See Proceedings of the Sixteenth Ordinary Session of the Assembly, *Official Journal*, Special Supplement No. 138, page 115.

<sup>4</sup> See *Official Journal*, Special Supplement No. 146, pages 7 *et seq.*

intention of putting the results into final shape outside the League. "It is only within the framework of the League", he said, "that proposals can be examined and decisions reached."

Sir Samuel Hoare, the representative of the United Kingdom, said that it was common talk that, during the past few days, conversations had been taking place between Rome and Paris and London on the possibilities of a speedy and honourable settlement of the controversy. "There is nothing mysterious or sinister about these discussions", he went on; ". . . we shall constantly act within the framework of the Covenant and take the earliest practicable opportunity of reporting the results of our endeavours to the Council. It is essential to act in the spirit of impartial justice towards the three parties in the controversy — the League, Italy, and Ethiopia."

M. van Zeeland, the representative of Belgium, then made the following suggestion: "Does it not seem right that efforts towards solution should from this moment be placed under the auspices and within the framework of the League itself? Since the responsible leaders of two great countries have already devoted a large part of their time and their talents to this task, why should the League not entrust to them the mission of seeking, under its auspices and control and in the spirit of the Covenant, the elements of a solution which the three parties at issue — the League, Italy, and Ethiopia — might find it possible to accept?"

It was then pointed out by, among others, the Spanish and Polish representatives, M. de Madariaga and M. Komarnicki, that the Co-ordination Committee had no power to confer a mandate upon France and the United Kingdom, and that all it could do was to express a hope; whereupon M. de Vasconcellos, the Chairman of the Committee, observed that the Belgian representative's suggestion was approved by all the Members of the League there represented.

In the meantime, the Committee of Eighteen, one of the Co-ordination Committee's subsidiary bodies, decided, on November 6th, to submit to the Governments a proposal that the embargo on exports to Italy should, if necessary, be extended to three additional commodities — oil, iron, and coal. If, from the replies received by the Committee and the information at its

disposal, such a course seemed advisable, it was to propose a date for putting this new measure into force.

When the Committee reassembled on December 12th,<sup>1</sup> M. Laval, the French representative, announced that, in the course of conversations in Paris, France and the United Kingdom had continued their attempts to devise the basis of an amicable settlement, and that suggestions had been laid before the Italian and Ethiopian Governments on the previous day. "We propose", he said, "to communicate them shortly to the Council of the League. Our part will then have been played, and it will be for the League of Nations to settle what is to be done."

Mr. Eden, the United Kingdom representative, also described what the representatives of the two Governments (M. Laval and Sir Samuel Hoare) had been seeking to do in Paris. They had, he said, been endeavouring "to work out proposals that might be submitted to both sides, and upon which both sides might be willing to come together to open discussions here in Geneva . . . The policy of His Majesty's Government remains to-day what it has been since the dispute began. Any final settlement must be acceptable to the League as well as to the two parties in conflict. In the circumstances, it seems to me that the best procedure to follow at the present time is to call together the Council at the earliest practicable moment, in order that a full statement of the proposals should be made to it."

The Polish delegate, M. Komarnicki, reminded the Committee that the Polish Government had never departed from its original line of conduct. "It was", he said, "the right and duty of the competent organs of the League to determine the significance of recent events and to examine the situation as a whole." He considered that the adoption of any new measure by the Committee of Eighteen might prejudice the action that the Council of the League, in virtue of its powers, would shortly have to take.

The following day, the Committee of Eighteen adjourned, in the words of M. de Vasconcellos, its Chairman, "so as not to run the risk of causing prejudice to the progress of negotiations or decisions which were represented as likely to lead to a rapid cessation of hostilities".<sup>2</sup>

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<sup>1</sup> See *Official Journal*, Special Supplement No. 147, pages 7 *et seq.*

<sup>2</sup> See *Official Journal*, Special Supplement No. 147, pages 10 *et seq.*

M. Westman, the Swedish representative, said that he had no objection to giving the Council the necessary time in which to meet. "I wish to say", he added, "that I am authorised to collaborate in the work which is the purpose of the present session of the Committee of Eighteen — namely, to co-ordinate the efforts of the Members of the League to restore peace by ensuring respect for the Covenant, thus increasing the general security."

M. Gomez, the Mexican representative, said that November 18th, 1935, had marked the beginning of one of the most important international experiments that the modern world had ventured to undertake in favour of peace. "In the present instance", he said, "the Mexican Government is prepared to vote for the inclusion of oil, iron, and coal in the list of products the export of which to Italy is forbidden." At the same time, he was prepared to conform to the views of the other members of the Committee, should they desire to accord the respite necessary to enable the Council to take a decision. Mexico had no information as to the draft peace proposals adopted as a basis of discussion by France and the United Kingdom, but it was certain, in the light of the statements made by M. Laval and Mr. Eden, that the versions published by the Press went far beyond the reality.

That same day, December 13th, the text of the Franco-British suggestions was communicated to the Members of the Council,<sup>1</sup> who were summoned to meet on December 18th.

#### *Council Meeting of December 18th, 1935.<sup>2</sup>*

When communicating the text of their suggestions to the Council, the United Kingdom and French Governments stated that, on December 10th, they had instructed their representatives at Rome and Addis Ababa to lay them before the Italian and Ethiopian Governments, and that they would send on the replies as soon as they were received.

On December 12th, the Ethiopian Government had stated that, before replying to the proposals which it had received from two Members of the League of Nations, it asked that the

<sup>1</sup> For the text of these suggestions, see *Official Journal*, January 1936, pages 40 *et seq.*

<sup>2</sup> See *Official Journal*, January 1936, pages 6 *et seq.*

Assembly be convened immediately, so that "every Member State should be enabled to express its opinion on the true practical significance of the proposals". As the Council had been summoned for December 18th, and as, under the Covenant, it remained the body to which the dispute had been duly submitted, the President of the Assembly thought it proper to await the result of the Council's deliberations before taking a decision in regard to the Ethiopian request.

Before the Council met on December 18th, the Ethiopian Government, while announcing that it would in due course reply to the Franco-British suggestions, had transmitted to the Council a further note, containing the following passages :

"The Paris suggestions, under the fallacious name of exchange of territory, seek to impose on, or recommend in an imperative manner to, Ethiopia a cession of territory. This constitutes a violation of Article 10. . . .

"The Paris suggestions seek to impose upon Ethiopia or to advise her in an imperative manner to agree to the concession to Italy of economic privileges, with police rights. It is an infringement of Ethiopia's political independence, a violation of Article 10 of the Covenant.

"The Paris suggestions seek to impose upon Ethiopia predominant control by Italy, with the certain aim of entrusting to Italy the administration of the capital and of a large part of the territory. The League of Nations, in consenting to lend itself to such dissimulation, would violate Article 10 of the Covenant."

The Ethiopian Government "was confident that the League would refuse to say that the Paris suggestions were in conformity with the principles of the Covenant".

At the Council meeting on December 18th, Mr. Eden, the United Kingdom representative, said :

"It must be emphasised that the Paris proposals which were put forward last week were not advanced as proposals to be insisted on in any event. They were advanced in order to ascertain what the views of the two parties and of the League might be upon them, and His Majesty's Government recommended them only for this purpose. If, therefore, it transpires that these proposals which are now before you do not satisfy the essential condition of agreement by the two parties and by the League, His Majesty's Government could not continue to recommend or support them. In its view, this particular attempt at conciliation could not then be regarded as having achieved its object, and His Majesty's Government, for its part, would not wish to pursue it further."

The next speaker was M. Laval, the French representative, who said :

“ We do not yet know how the parties will welcome our suggestions, and I suppose that, in the meantime, the Council itself will wish to avoid expressing an opinion. In any case, I think it my duty to state forthwith that, if this effort does not secure the consent of all the interested parties, the Council will not be relieved of its duty to explore every avenue and to allow no opportunity to escape with a view to bringing about an honourable and just solution of the present conflict, such as is required both by the interests of peace and by the spirit of the League of Nations.”

M. Wolde Maryam, the Ethiopian representative, said that, before replying to the “ Paris suggestions ”, his Government was anxious to give the League an opportunity of hearing its observations on the impression made upon it by those suggestions and the remarks accompanying them. He added that his Government and people did not ask any people in the world to come to Africa and shed their blood in defence of Ethiopia. What Ethiopia asked was that, in mere justice, she should be given facilities to acquire more complete and more up-to-date defensive material than she now possessed.

In a previous note, dated November 1st, the Ethiopian Government had asked the Members of the League of Nations to consider whether financial assistance might not be granted to Ethiopia, in the manner approved by the Assembly at its eleventh session, in 1930.

*Council Resolution of December 19th, 1935.*

After the meeting on December 18th, at which the Council had heard the representatives of the United Kingdom, France, and Ethiopia (Italy not being represented), the Members of the Council other than the representatives of the parties — Committee of Thirteen — drew up the following resolution, which was passed on December 19th :

“ 1. The Council thanks the representatives of France and of the United Kingdom for the communication which they have made to it concerning the suggestions which they have put before the two parties with a view to conciliation.

“ 2. In view of the preliminary character of these suggestions, as emphasised by the two Powers which took the initiative of

putting them forward, the Council does not consider that it is called upon to express an opinion in regard to them at present.

“ 3. The Council instructs the Committee of Thirteen, bearing in mind the provisions of the Covenant, to examine the situation as a whole, as it may appear in the light of the information which the Committee may procure.”

The Committee of Eighteen, to which this resolution was communicated, considered that the situation had not changed since its meeting on December 13th. It therefore adjourned, after instructing its Committee of Experts to keep itself informed of the application of the sanctions already in force.

*Allegations regarding the Conduct of the War.*<sup>1</sup>

The bombing of Dessie by Italian aircraft on December 6th, which, according to the testimony of several foreign doctors, transmitted by the Ethiopian Government,<sup>2</sup> began with the dropping of bombs on the enclosures of the Red Cross ambulances outside the town, led to a protest from the Ethiopian Government, which also reported the bombing of open towns and villages on previous occasions.

On December 13th, the Italian Government denied that open towns had been bombarded and protested against the improper use of the Red Cross emblem, as observed at Dessie by Italian aeroplanes which had flown over the town the day after the bombardment. On December 17th, it denounced the Ethiopians for using dum-dum bullets, an allegation which was supported by the accredited foreign journalists in Italian Somaliland and by various photographs.

On December 30th, the Ethiopian Government accused the Italian army of having used asphyxiating and poison gases in the Takazze area on the northern front, on December 23rd. On January 1st, a further telegram from Addis Ababa reported that, on December 30th, the Italian army had used poison gas

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<sup>1</sup> See *Official Journal*, January 1936, pages 29 *et seq.* ; February 1936, pages 241 *et seq.*

<sup>2</sup> The character of one of these witnesses, a so-called Polish doctor, has been impugned by the Italian Government on the basis of information received from Warsaw (document C.156.M.94.1936.VII, *Official Journal*, April 1936 (Part II), page 475). According to a letter from the Latvian representative (see *Official Journal*, June 1936, page 655), this witness had falsely posed as a doctor of medicine of the University of Riga. The Committee of Jurists instructed by the Committee of Thirteen to carry out an enquiry on the basis of the documentary material received (see below) has noted that the character of the other witnesses has not been impugned.



on the southern front and had bombed the Swedish Red Cross ambulance at Melka Dida.<sup>1</sup> In a note dated January 3rd, the Ethiopian Government asked that the appropriate League body should carry out an impartial enquiry into the manner in which hostilities were being conducted by the two belligerent armies in Ethiopian territory. It expressed the view that the proper authority to set on foot such an enquiry would be the Committee of Thirteen.

On January 16th, the Italian Government repeated its allegations regarding the improper use of the Red Cross emblem by the Ethiopians and supplied a collection of documentary evidence regarding the use of dum-dum bullets<sup>2</sup> and "other atrocities (mutilation of corpses, etc.) committed by the Abyssinian troops". "Since", it concluded, "these barbarous acts violate every principle of humanity and law and, in particular, the Rules established in the Geneva Conventions, which require that the wounded, the dead, and prisoners shall be respected, and that no improper use shall be made of the emblem of the Red Cross, they are being reported to the International Committee of the Red Cross for necessary action."

In a further note, dated January 20th, the Ethiopian Government returned to the question of an enquiry, which, it considered, "would now be of less value". "It has been made by the Swedish Government, and its results have been set out in the note of protest sent by that Government to the Italian Government. It now remains for the League of Nations to consider, on the basis of the Swedish enquiry, whether collective intervention is not desirable and whether energetic steps should not be taken to prevent any repetition of such atrocities. The Ethiopian Government denounces the impropriety of any attempt to convert the demand for an enquiry into the atrocities committed by the Italian authorities into a political enquiry

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<sup>1</sup> This incident was the subject of an exchange of notes between the Swedish and Italian Governments. (See documents C.207.M.129.1936.VII (*Official Journal*, June 1936, page 644) and C.224.M.136.1936.VII (*Official Journal*, June 1936, page 652).)

<sup>2</sup> The Italian communications regarding the use of dum-dum bullets indicated that certain of these were of English manufacture. (See documents C.7.M.6.1936.VII (*Official Journal*, January 1936, page 37) and C.63.M.22.1936.VII (*Official Journal*, February 1936, page 244).) In a communication dated February 6th, the United Kingdom Government reported the results of its enquiries on this subject. The bullets in question had been supplied long before the war for hunting in Africa (document C.86.M.31.1936.VII, *Official Journal*, February 1936, page 244).

in preparation for a violation of Ethiopia's independence and integrity."

*Report of the Committee of Thirteen, January 23rd, 1936.*<sup>1</sup>

After considering these various documents, the Committee of Thirteen concluded that the Ethiopian Government did not press its request for an enquiry by the appropriate League authority, with which, in the circumstances, it did not therefore feel called upon to comply.

With regard to the Ethiopian Government's repeated request for financial assistance, the Committee pointed out that the Convention for Financial Assistance had not come into force, and expressed the view that "there appeared to be no possibility of providing for the organisation of financial assistance at that moment".

Giving its view of the situation existing at that date, the Committee of Thirteen went on :

"When, on December 19th, 1935, the Council instructed the Committee to examine the situation as a whole, it had primarily in view the necessity for putting an end to the war, a question which has been the constant preoccupation of the Members of the League of Nations since last October. In accordance with their international undertakings, they have concerted economic and financial measures, being animated by an earnest desire to re-establish a just peace as speedily as possible. They have always been resolved to neglect no opportunities of facilitating and hastening a settlement of the dispute through an agreement between the parties within the framework of the Covenant. The Committee of Thirteen, for its part, declares that, if such an opportunity had existed to-day, it would have at once submitted suggestions to the Council. It will not fail to do so, should more favourable circumstances arise. At present, it can only decide to watch the situation carefully, in accordance with the mandate which it received from the Council on December 19th."

This report of the Committee of Thirteen was approved by the Council ; the Italian representative abstained from voting.

*Reconsideration of the Question of the Extension of the Embargo to Oil.*

The Franco-British suggestions of December having failed of their purpose, the Council came to the conclusion that nothing

<sup>1</sup> See *Official Journal*, February 1936, page 106.

could be done to hasten the settlement of the dispute by agreement between the parties within the framework of the Covenant. The Committee of Eighteen therefore resumed its sittings and examined the question of extending the embargo to oil, which had been left pending since the previous November. On January 22nd, a Committee of Experts was set up to report on the probable efficacy of such a measure, and completed its enquiries by February 12th. The Committee of Eighteen was summoned for March 2nd.

*Appeal by the Committee of Thirteen to the Two Parties,  
March 3rd, 1936.*

The report of the experts was not examined by the Committee of Eighteen. The French representative, M. Flandin, pointed out, on March 2nd, that the Committee of Eighteen had always worked in close connection with the Committee of Thirteen, and that the latter, in its report of January 23rd, had once more affirmed its determination not to neglect any opportunity of facilitating and hastening the settlement of the dispute by agreement between the parties within the framework of the Covenant. More than a month had passed since that meeting. The French delegation thought it would be desirable for the Committee of Thirteen to meet again to consider the possibility of making another urgent appeal to the belligerents to put an end to the war.

The United Kingdom representative, Mr. Eden, while agreeing to a meeting of the Committee of Thirteen for the following day, said : " His Majesty's Government are prepared to accept any decision to which this Committee may come ; but I must make it clear that, having considered the findings of the experts' report, His Majesty's Government are in favour of the imposition of an oil embargo by the Members of the League and are prepared to join in the early application of such a sanction if the other principal supplying and transporting States which are Members of the League of Nations are prepared to do likewise."

The Committee of Thirteen, which met on March 3rd, sent to the Ethiopian and Italian Governments the following appeal :

" The Committee of Thirteen,

" Acting in virtue of the mandate given to it by the Council in its resolution of December 19th :

“Addresses to both belligerents an urgent appeal for the immediate opening of negotiations in the framework of the League of Nations and in the spirit of the Covenant, with a view to the prompt cessation of hostilities and the definite restoration of peace;

“The Committee of Thirteen will meet on March 10th to take cognisance of the replies of the two Governments.”<sup>1</sup>

On the following day, March 4th, the Committee of Eighteen decided, in its turn, to adjourn for a week.

*Replies of the Two Parties to the Appeal of the Committee of Thirteen.*

The Ethiopian Government replied on March 5th to the Committee's appeal. It “agreed to the opening of negotiations, subject to the provisions of the Covenant being respected”. It noted that the Committee of Thirteen's proposal was made, and that the negotiations would be conducted, in the spirit of the Covenant and within the framework of the League of Nations.

On March 8th, the Italian Government, “in response to the appeal which had been addressed to it, agreed, in principle, to the opening of negotiations concerning the settlement of the conflict”.<sup>1</sup>

*Meeting of the Committee of Thirteen in London  
on March 23rd, 1936.*

Meanwhile, the Council had been summoned to a special session in London. The Committee of Thirteen met at the end of that session. It noted the replies of the Ethiopian and Italian Governments and requested its Chairman, assisted by the Secretary-General, “to get into touch with the two parties and to take such steps as may be called for in order that the Committee may be able, as soon as possible, to bring the two parties together, and, within the framework of the League of Nations and in the spirit of the Covenant, to bring about the prompt cessation of hostilities and the final restoration of peace”.

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<sup>1</sup> See *Official Journal*, April 1936 (Part II), page 395.

The Committee of Thirteen also noted that, whereas no new allegation had been received from either party between the last days of January and the end of February concerning breaches by the other side of the Conventions on the conduct of war, mutual accusations were now again being made.

On February 28th, the Italian Government submitted evidence in confirmation of its previous reports on the torturing and slaughtering of Italian prisoners, the outrages committed on the wounded and the dead, and cases of the abuse of the Red Cross emblem. It also reported that an army chaplain had been killed and that army stretcher-bearers had been put to death. These accusations were followed by three telegrams from the Ethiopian Government reporting successive bombardments of the British Red Cross ambulance near Quoram.<sup>1</sup> An Italian note of March 9th then reported an attack made on a road-builders' camp on February 13th, when the workmen were wounded by dum-dum bullets, murdered and mutilated. On March 21st, the Ethiopian Government repeated its accusation regarding the use of asphyxiating and poisonous gases. "Italy", it said, "is raining down mustard gas on inhabited centres."<sup>2</sup>

Although, as regards the other accusations, the Italian Government, like the Ethiopian Government, had sent denials or observations concerning its adversary's charges, it did not reply, in its various notes on the conduct of the war, to the allegations made by Ethiopia since the end of December as to the use of asphyxiating or poisonous gases by the Italian army. The use of these gases was prohibited by the Protocol of June 17th, 1925, and among the Powers that signed it were Italy and Ethiopia. In a letter dated March 23rd, M. de Madariaga, Chairman of the Committee of Thirteen, drew the Italian Government's attention to the Ethiopian Government's allegations concerning the use of asphyxiating gases, adding that the Committee would be happy to receive any observations which the Italian Government might wish to make in this connection.

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<sup>1</sup> According to the British Government's communication of April 15th (see *Official Journal*, April 1936 (Part II), page 480), the ambulance was bombarded by Italian aircraft on March 3rd, 4th, 5th and 6th. The British and Italian Governments exchanged notes on this subject (see *Official Journal*, April 1936 (Part II), page 480, and June 1936, page 651).

<sup>2</sup> See *Official Journal*, April 1936 (Part II), page 456.

*Efforts of the Chairman of the Committee of Thirteen and of the Secretary-General to obtain Information from the Parties.*

The Chairman of the Committee of Thirteen and the Secretary-General took steps as soon as possible to obtain information from the two parties, as requested in the resolution adopted by the Committee on March 23rd. The Ethiopian delegation was at their disposal. Recalling that its Government had accepted the Committee's appeal in the very terms in which it had been issued, it asked that the Italian Government, which had accepted this appeal "in principle", should give the assurance that it intended to negotiate "within the framework of the League of Nations and in the spirit of the Covenant".

It further appeared from informal conversations with the Italian Ambassador in London, who was representing his Government at the special session of the Council, that the proper procedure for the Chairman of the Committee of Thirteen was to communicate direct with the Italian Government and to ask it to appoint a delegate. In a letter dated March 27th, the Chairman of the Committee informed the Italian Government of his desire to meet a delegate appointed by it at Geneva as soon as possible. M. de Madariaga received a reply at Madrid on April 2nd, stating that the Italian Government was prepared to send a representative to Geneva immediately after Easter (April 12th) for the purpose of a first exchange of ideas as to the procedure to be followed with regard to the conversations desired by the Chairman of the Committee of Thirteen. As, moreover, the method of initiating contacts for the purposes of these conversations was an important and delicate question, it was thought convenient and desirable that the Chairman of the Committee of Thirteen should have a first exchange of ideas of a general character with the Head of the Government at Rome.<sup>1</sup>

*Meeting of the Committee of Thirteen, April 8th, 1936.*

M. de Madariaga summoned a meeting of the Committee of Thirteen for April 8th. The Committee expressed the wish that the conversations between the Chairman, assisted by the Secretary-General, and the delegates of the two parties should

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<sup>1</sup> Document C.133.M.72.1936.VII, Annex III. (See *Official Journal*, April 1936 (Part II), page 487.)

take place immediately after Easter. The Ethiopian delegation was already at Geneva at the Chairman's disposal. The Italian Government was informed that the Committee regarded it as of the highest importance that contact should be made immediately after Easter with the delegate whom that Government was prepared to send, since the Committee had decided to meet again on April 16th. As to the invitation that M. de Madariaga had received to go to Rome, the Committee agreed with its Chairman that it was undesirable to come to any decision on the point until after the conversations that were to take place at Geneva.

*Conversations of the Chairman and the Secretary-General with the Ethiopian and Italian Delegations.*

Pending the arrival of the representative of Italy, the Chairman, assisted by the Secretary-General, had a further interview with the Ethiopian delegation.

Recalling the terms of the invitation which the Committee of Thirteen addressed to the two parties on March 3rd with a view to negotiations "within the framework of the League of Nations and in the spirit of the Covenant",<sup>1</sup> that delegation stated that Ethiopia did not agree to negotiate direct with Italy. "The essential point", it said, "is to put an end immediately to the Italian manœuvre by compelling the Government at Rome to state forthwith, clearly and openly, what are its warlike aims . . . The Ethiopian delegation affirms that it is indifferent to the procedure to be followed. It is concerned only with the substance. It refuses energetically, on behalf of its Government, to lend itself to any dilatory procedure. It earnestly requests that the Committee of Thirteen should take note of the refusal or silence of the Italian Government, and that the Committee of Eighteen should be called upon to decide."

The representative of Italy arrived at Geneva on April 15th. He proposed that direct negotiations should be opened between the two delegations for the signature of preliminaries of peace. He suggested that these negotiations, which "could only be based on the situation existing after six months of military operations", should take place at Ouchy. When asked for his views as to the manner in which the Committee of Thirteen

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<sup>1</sup> See *Official Journal*, April 1936 (Part II), page 395.

might be informed of the conversations which he had suggested, the Italian representative said that the Committee might take cognisance of the results as and when they were obtained and might remain at the disposal of the two delegations to afford any co-operation they might think desirable.

On being informed of the Italian proposals, the Ethiopian representative maintained his point of view.<sup>1</sup> "The Ethiopian delegation", he said, "earnestly requests the Committee of Thirteen to find that the Rome Government has not agreed to negotiate within the framework of the League of Nations and in the spirit of the Covenant, in order that the application of all the provisions of Article 16 of the Covenant may be no longer delayed".

The effort made since March 3rd had therefore failed. The Committee, recalling the terms of the report approved by the Council on January 23rd, noted once more, in its report of April 18th, that no opportunity existed "of facilitating and hastening the settlement of the dispute through an agreement between the parties within the framework of the Covenant".

#### *New Examination of the Question of Breaches of the International Rules on the Conduct of War.*

The Committee of Thirteen, resuming on April 9th the examination of the accusations concerning breaches of the international rules on the conduct of war, noted the Italian Government's reply to M. de Madariaga's letter of March 23rd, which had suggested that that Government should submit observations on the allegations made by Ethiopia concerning the use of asphyxiating, poisonous, and similar gases.

The Italian Government said in its reply of April 3rd<sup>2</sup> that "while it is anxious to establish the truth regarding the facts of which a tendentious version is put forward in the Ethiopian statements, it feels bound, first of all, to make every reservation regarding the competence of the Committee of Thirteen to deal with the questions referred to in the communication from the Chairman of the Committee of Thirteen". It further asked whether "the Ethiopian Government's attention had been drawn

<sup>1</sup> See *Official Journal*, April 1936 (Part II), page 362.

<sup>2</sup> Document C.133.M.72.1936.VII, Annex IV. (See *Official Journal*, April 1936 (Part II), page 487.)



to the Italian Government's charges relating to the use by Ethiopia of methods of warfare forbidden by international rules and to the atrocities practised on prisoners and non-combatant Italian civilians, and whether that Government had been requested to put forward such observations as it might desire to make on the subject ”.

While noting that the transmission to both Governments of the charges made by the other Government had in each case furnished them with an opportunity of submitting observations, the Committee of Thirteen addressed an appeal on April 9th to the two parties in the following terms :<sup>1</sup>

“ The Committee of Thirteen, having taken note of the communications sent by the Ethiopian and Italian Governments to the Secretary-General in regard to various cases of failure to observe the international agreements relating to the conduct of warfare, and voicing the emotion felt in this matter by public opinion, addresses an urgent appeal to both belligerents to take all measures necessary to prevent any failure to observe the said Conventions or the principles of international law.

“ The Committee hopes to receive from the Powers to which it is making this appeal assurances calculated to allay the public feeling it has thus voiced.”

On April 11th, the Italian Government replied as follows :

“ The Royal Government notes that the denunciation of the Abyssinian atrocities which it sent, together with confirmatory documents, as early as December 17th, 1935, and later by its notes dated December 21st, 1935, and January 18th, February 28th and March 9th, 1936, will be fully investigated by competent bodies. The observance of the laws of war has been and is the constant rule of the Italian army, and the Royal Government desires by the present communication to give a full assurance on that point. The observance of these laws must be bilateral. The Italian military authorities cannot do otherwise than punish every inhuman atrocity committed by its adversary in contempt of every principle of law and morality.”

The Ethiopian Government's reply, which was also dated April 11th, reads as follows :

“ In her struggle against the aggressor, Ethiopia has strictly conformed to the international agreements regulating the conduct of warfare, despite flagrant and systematic acts of violation on

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<sup>1</sup> See *Official Journal*, April 1936 (Part II), page 363.

the part of Italy. Ethiopia has even refrained from all measures of reprisal against these violations. It is possible, however, that in isolated cases individuals have reacted against the inhuman methods employed by the Italians. The Ethiopian Government has taken all steps to impose severe punishment for any such lapses."

*Question of the Enquiry into Breaches  
of International Conventions regarding the Conduct of War and  
the Principles of International Law.*

On January 3rd,<sup>1</sup> the Ethiopian Government, as has already been stated, had asked that an enquiry might be carried out by the competent organs of the League, and had expressed the opinion that the Committee of Thirteen was the competent authority. The Ethiopian Government quoted the terms of the resolution of December 19th, 1935, under which the Council "instructed the Committee, bearing in mind the provisions of the Covenant, to examine the situation as a whole as it may appear in the light of the information which the Committee may procure". Moreover, the Italian Government, in denouncing on January 16th a number of "atrocities", stated that they were being reported to the International Red Cross Committee for necessary action, because these "barbarous acts" violated in particular "the rules established in the Geneva Conventions".<sup>2</sup>

In his letter to the Italian Government of March 23rd, the Chairman of the Committee of Thirteen recalled this communication of January 16th. "In connection", he said, "with violations of the Geneva Conventions concluded under the auspices of the Red Cross, the Committee noted that when, on January 16th, your Government alleged abuses of the Red Cross emblem and various atrocities, it intimated that they were being 'reported to the International Red Cross Committee for necessary action'. The provisions of the aforesaid Geneva Conventions would seem to apply likewise to the bombing of Red Cross ambulances which the Ethiopian Government has reported."<sup>3</sup>

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<sup>1</sup> See *Official Journal*, February 1936, page 240.

<sup>2</sup> See *Official Journal*, February 1936, page 243.

<sup>3</sup> Document C.133.M.72.1936.VII, Annex I. (See *Official Journal*, April 1936 (Part II), page 486.)

In its reply of April 3rd,<sup>1</sup> in which it made " every reservation regarding the competence of the Committee of Thirteen to deal with the questions contained " in M. de Madariaga's letter of March 23rd, the Italian Government also stated its views on the competence of the International Red Cross Committee as regards an enquiry. " There seems no justification for the view ", it said, " that charges made by the Italian Government to the League of Nations — for example, those relating to the use by the Ethiopians of dum-dum bullets and to the atrocities practised on prisoners and non-combatant Italian civilians — could be considered as requiring no further action on the ground that they were brought at the same time to the attention of the International Red Cross Committee. As a matter of fact, since the procedure contemplated in Article 30 of the Geneva Convention of July 27th, 1929,<sup>2</sup> relates only to violations of rules laid down in that Convention itself, the charges of the Italian Government to which I have just referred and which relate to violations of other Conventions and rules of a humanitarian character could not normally be examined in any enquiry which the International Red Cross Committee might set on foot and, in fact, are not at the present time the object of any study on the part of that Committee."

The Committee of Thirteen decided on April 8th to ask the International Red Cross Committee whether it could furnish the Committee of Thirteen with any information in its possession as to infringements of international Conventions.

The International Red Cross Committee refused to communicate this documentary material.<sup>3</sup>

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<sup>1</sup> Document C.133.M.72.1936.VII, Annex IV. (See *Official Journal*, April 1936 (Part II), page 487.)

<sup>2</sup> Article 30 of the Geneva Convention for the Amelioration of the Conditions of the Wounded and Sick in Armies in the Field : " On the request of a belligerent, an enquiry shall be instituted in a manner to be decided between the interested parties concerning any alleged violation of the Convention ; when such violation has been established, the belligerent shall put an end to and repress it as promptly as possible."

<sup>3</sup> The correspondence between the Committee of Thirteen and the International Red Cross Committee was published in documents C.150.M.88.1936.VII, C.176.M.112.1936.VII (Annex 1), C.184.M.118.1936.VII, and C.248.M.144.1936.VII. (See *Official Journal*, April 1936 (Part II), pages 461 and 364 ; June 1936, pages 578 and 657.) The International Red Cross Committee has not been able to undertake the enquiry requested by the Ethiopian and Italian Governments in regard to the allegations made on either side concerning violations of the Geneva Convention. The details of this enquiry should be fixed in agreement between the parties concerned : the Italian Government only had stated the possible conditions under which it thought an enquiry could be opened.

The Committee of Thirteen, having taken the advice of a Committee of Jurists, considered that in the present case the Council, being seized of the dispute in all its aspects, possessed in virtue of its general competence the power to undertake enquiries, on the basis of the documentary material, into the application of Conventions concerning the conduct of war.<sup>1</sup> The competence of the Committee of Thirteen is determined, as has already been observed, by the Council's decision of December 19th, 1935. In virtue of the instructions it received on that date, the Committee of Thirteen could undertake enquiries on the basis of the documentary material, taking account of the fact that " when, on December 19th, the Council instructed the Committee to examine the situation as a whole, it had primarily in view the necessity for putting an end to the war " (report of the Committee of Thirteen, dated January 23rd, 1936). By an enquiry on the basis of the documentary material was to be understood an enquiry in which information and explanations are collected and examined and the resultant conclusions are stated, but which did not include deciding questions of fact which continued to be contested or on which the documents did not throw sufficient light.

The Committee of Jurists appointed by the Committee of Thirteen was therefore asked to analyse the documents concerning the conduct of the war that had been submitted to the Secretary-General of the League up to April 16th, 1936.

These documents contained principally charges brought by one or other belligerent, and refutations of some of those charges by its adversary. The United Kingdom Government also submitted a note on the allegations concerning the use of poison gas by the Italian army.

The jurists' analysis was communicated to the Ethiopian and Italian Governments on April 18th.

The Committee of Thirteen noted, moreover, that the Italian Government's reply to the appeal of April 9th to the two parties (this reply has been reproduced *in extenso* above) <sup>2</sup> concluded with the following statement: " The Italian military authorities cannot do otherwise than punish every inhuman atrocity committed by its adversary in contempt of every

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<sup>1</sup> Document C.176.M.112.1936.VII. (See *Official Journal*, April 1936 (Part II), page 363.)

<sup>2</sup> See page 35.

principle of law and of morality". With reference to this passage, the Committee expressed the opinion that such an observation could not justify the use of asphyxiating, poisonous or other gases, which is prohibited by the Protocol of June 17th, 1925. It decided, further, to remind the Italian Government, which had supplied details regarding, among other matters, the bombing of ambulances, of the desirability of also supplying particulars on the allegations concerning the use of asphyxiating gases.

*Council Meeting of April 20th, 1936.*<sup>1</sup>

The Council met on April 20th to acquaint itself with the results of the Committee of Thirteen's work.

The representative of Italy, Baron Aloisi, said that the responsibility for any failure of the procedure of conciliation could in no way be placed to his Government's charge. The latter had proposed, for the establishment of the preliminaries of peace, direct negotiations outside Geneva between the two parties, who would undertake to supply information to the League of Nations at every decisive stage. Such a procedure did not mean, as the Ethiopian delegate affirmed, the rejection of the "framework of the League of Nations and the spirit of the Covenant".<sup>2</sup> It was, he added, the Ethiopian delegation which, "on its own admission, is responsible for having come to Geneva with a predetermined decision not to negotiate". On April 13th, before the Italian delegation's arrival, it had said to the Chairman of the Committee of Thirteen, among other things: "The Ethiopian delegation earnestly requests that the Committee of Thirteen should take note of the refusal or silence of the Italian Government, and that the Committee of Eighteen should be called upon to decide." The Ethiopian delegation's one and only intention was therefore to have the failure of the negotiations placed on record.

Going on to the question of the conduct of the war, the Italian representative, while reserving his Government's full freedom as regards its reply to the Committee's letter of April 18th, made certain observations as a member of the Council. In his opinion, the Council's resolution of December 19th, 1935,<sup>3</sup> only

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<sup>1</sup> See *Official Journal*, April 1936 (Part II), pages 358 *et seq.*

<sup>2</sup> See *Official Journal*, April 1936 (Part II), page 374.

<sup>3</sup> See *Official Journal*, January 1936, page 14.

authorised the Committee to study the situation with a view to seeking a settlement of the dispute by means of conciliation. "It would be extremely dangerous," he said, "for the Committee of Thirteen to take other tasks upon itself".

Moreover, in the letter it had just sent to the Italian Government, the Committee of Thirteen had expressed the opinion that the use of the chemical weapon could not be justified "even for the punishment of inhuman acts of atrocity committed by an adversary in contempt of law and of morality".<sup>1</sup> By that statement, the Committee of Thirteen had bestowed upon itself the power of settling, outside any rule of procedure, an extremely serious question of law. It had set itself up as a judge "giving an interpretation of perhaps the most delicate and complex point covered by the Protocol of June 17th, 1925, which contained no provision prohibiting, in derogation of the general principles, the exercise of the right of reprisal for atrocities such as those of which the Italian soldiers had been the victims."<sup>2</sup>

The Ethiopian representative confirmed the message sent by his Sovereign to the Secretary-General on April 17th.<sup>3</sup> "The Italian Government", said the Emperor of Ethiopia, "has so little intention of negotiating within the framework of the League of Nations and in the spirit of the Covenant that it refuses all competence to the League and to the Committee of Thirteen, first by insisting upon direct negotiations, secondly by refusing to negotiate at Geneva, and thirdly by refusing to communicate its peace proposals until it is satisfied that the principles of the Covenant will not be respected . . . Despite the good-will of the States Members of the League, the sanctions that have been applied have proved ineffectual, and the time that has been allowed to elapse without the imposition of additional sanctions has enabled the enemy to pursue with impunity his aggression and his flagrant violations of the laws of war . . . Relying upon the Covenant, Ethiopia firmly and formally invokes the rights that the Covenant confers upon her, and appeals to all

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<sup>1</sup> See *Official Journal*, April 1936 (Part II), page 373.

<sup>2</sup> In its note of April 30th, 1936 (see *Official Journal*, June 1936, page 580), the Italian Government confirmed the view taken by its representative on the Council. In its opinion, the question of violations of the different Conventions and rules on the conduct of war must be considered as a whole, and the truth should be investigated in a uniform manner through a body competent to carry out tasks of this kind, which might be the International Red Cross.

<sup>3</sup> See *Official Journal*, April 1936 (Part II), page 403.

the States Members for immediate measures to be taken to stop this invasion, which is contrary to the Covenant and is unanimously condemned.”

Speaking again at the afternoon meeting, the representative of Italy said:<sup>1</sup> “It is clear that, if this conciliation procedure fails, it is not because of a discussion which might have brought out divergencies of opinion, but because of the previous determination of one of the parties. Italian co-operation in the work of European pacification, which will have to follow the settlement of the Italo-Ethiopian dispute — a dispute that should have been kept within strictly colonial limits — will also be retarded by the failure of conciliation.”

The Members of the Council other than the parties then stated their views on the situation.

At the end of the debate, the President of the Council, Mr. Bruce (Australia), and the Chairman of the Committee of Thirteen submitted a draft resolution for consideration by the Council, including the representatives of the parties, in private.

This draft was afterwards submitted in public session in the following amended form :<sup>2</sup>

“The Council :

“Takes note of the report of the Committee of Thirteen ;

“Approves and renews the appeal addressed by the Committee to the two parties for the prompt cessation of hostilities and the restoration of peace in the framework of the League of Nations and in the spirit of the Covenant ;

“Notes that, on March 5th, the Ethiopian Government, in reply to this appeal, ‘agreed to the opening of negotiations subject to the provisions of the Covenant being respected. It noted that the Committee of Thirteen’s proposal was made, and that the negotiations would be conducted in the spirit of the Covenant and in the framework of the League of Nations’ ;

“Likewise notes that, on March 8th, the Italian Government, in reply to this appeal, ‘agreed in principle to the opening of negotiations concerning the settlement of the conflict’ ;

“Regrets that the information obtained by the Chairman of the Committee of Thirteen and the Secretary-General shows that the effort at conciliation made by the Committee of Thirteen in accordance with its appeal to the two parties has not succeeded ;

“Regrets that, in these circumstances, it has not been possible to bring about the cessation of hostilities, and that the war is

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<sup>1</sup> See *Official Journal*, April 1936 (Part II), page 377.

<sup>2</sup> See *Official Journal*, April 1936 (Part II), page 392.

continuing under conditions which have been declared to be contrary to the Covenant, and which involve the execution of the obligations laid upon the Members of the League in such a case by the Covenant ;

“ Addresses to Italy a supreme appeal that, in view of present circumstances, which call for the co-operation of all the nations, she should bring to the settlement of her dispute with Ethiopia that spirit which the League of Nations is entitled to expect from one of its original Members and a permanent Member of the Council ;

“ Recalls that Italy and Ethiopia are bound by the Protocol of June 17th, 1925, on the use of asphyxiating, poisonous or other gases, and by the Conventions regarding the conduct of war to which these two States are parties, and emphasises the importance which has been attached to these instruments by all the contracting States.”

The Italian representative declared that he voted against the draft resolution.

The draft resolution was adopted.

The representative of Ecuador (M. Zaldumbide), while approving the resolution as a whole, said, with regard to the sixth paragraph, that his Government maintained the decisions it had taken in respect of sanctions. The Government of Ecuador had decided on April 4th “to raise the sanctions which it had enacted against Italy, on the ground that Italy had accepted the appeal made to her by the Conciliation Committee and had declared herself prepared to enter into negotiations for bringing the dispute to an end ”.

The representative of Ethiopia put this question : “ Will the Council be content to address to the Italian Government, which has challenged the League of Nations and the whole world in the name of might against right, another supreme but academic appeal for its co-operation in the maintenance of peace ? Is that the effective assistance which States Members have bound themselves to afford by signing Article 16 of the Covenant ? ”

*Departure of the Emperor of Ethiopia. Signature of the Decree-Law of May 9th at Rome.*

The Italian Northern Army entered Dessie on April 15th ; no Ethiopian army remained between it and Addis Ababa. The entrenched camp of Sasabane fell on the 30th, and the Italian Southern Army was able to march rapidly on Harrar



and Diredawa (on the railway from Addis Ababa to Jibuti). On May 2nd, the Emperor Haile Selassie left his capital for Jibuti ; on the 5th, Addis Ababa was occupied by the Italian Northern Army.

On May 9th, the King of Italy signed a decree-law, Article 1 of which said : “ The territories and peoples which belonged to the Empire of Ethiopia are placed under the full and entire sovereignty of the Kingdom of Italy. The title of Emperor of Ethiopia is assumed by the King of Italy for himself and his successors.”

On May 10th, the Emperor Haile Selassie telegraphed from Jerusalem to the Secretary-General:<sup>1</sup> “ We have decided to put an end to the most sweeping, the most unjust, and the most inhuman war of modern times by leaving the country in order to avoid the extermination of the Ethiopian people, and to be able to devote ourselves freely and peacefully to the preservation of the age-old independence of Ethiopia and the principles of collective security and the sanctity of international obligations, all of which are threatened by Italy. From the outset, we have made every effort to avoid the disturbance of peace, we have loyally defended our soil until, as a result of Italy’s raining of gas, it became obvious that our resistance could not be continued, and that, in any case, that resistance could only lead to the extermination of the Ethiopian people, and we now ask the League of Nations to pursue its efforts to ensure the respect of the Covenant and to decide not to recognise territorial extensions or the exercise of an alleged sovereignty resulting from illegal recourse to armed force and many other violations of international obligations.”

*Ordinary Session of the Council, May 11th.*

On May 11th, the Council met in ordinary session at Geneva.

Baron Aloisi, representative of Italy, having announced that he had a statement to make on the placing of the Italo-Ethiopian dispute on the agenda of that session, the representative of Ethiopia was invited to be present.

The representative of Italy thereupon left the Council room, after stating that the Italian delegation could not agree to the self-styled Ethiopian representative’s being present. He added :<sup>2</sup>

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<sup>1</sup> See *Official Journal*, June 1936, page 660.

<sup>2</sup> See *Official Journal*, June 1936, page 535.

“ Nothing resembling an organised Ethiopian State exists. The only sovereignty in Ethiopia is Italian sovereignty. Any discussion on a dispute between Ethiopia and Italy would accordingly be pointless. I am bound, therefore, not to take part in it.”

The question of the Italo-Ethiopian dispute was placed on the agenda of the session. The Italian representative then resumed his seat at the public meeting, at which this question was not to be discussed.

Next morning, the Italian delegation was recalled to Rome, and in its absence, on May 12th, the Council considered a draft resolution which was the outcome of an exchange of views between various members.

This draft was worded as follows :<sup>1</sup>

“ The Council,

“ Having met to consider the dispute between Italy and Ethiopia :

“ Recalls the conclusions reached and the decisions taken in this matter in the League of Nations since October 3rd, 1935;

“ Is of opinion that further time is necessary to permit its Members to consider the situation created by the grave new steps taken by the Italian Government ;

“ Decides to resume its deliberations on this subject on June 15th;

“ And considers that, in the meantime, there is no cause for modifying the measures previously adopted in collaboration by the Members of the League.”

The representative of Ethiopia, M. Wolde Maryam, reminded the Council that, in a written statement submitted on the previous day, he had expressed “ the feelings of the Ethiopian Government and its unshakable determination to defend the integrity and independence of the Empire ”.

“ The Ethiopian delegation ”, he added, “ requests the Council vigorously to condemn the new act of violence of the Italian Government and its claim to suppress by force a State Member of the League of Nations. The Ethiopian delegation asks that all the provisions of Article 16 of the Covenant should at last be enforced, so that all States, weak or powerful, which are threatened by the ambition and covetousness of an unscrupulous Government may be reassured. The moment is a tragic one for Ethiopia. It is no less grave for the League of Nations. On

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<sup>1</sup> See *Official Journal*, June 1936, page 540.

the resolution that the Council takes to-day depends the future and the very existence of the League of Nations."

The Argentine representative, M. Ruiz Guiñazú, said that, taking into account the present serious circumstances, and with a view to safeguarding the fundamental principles of the Covenant, he accepted the draft resolution, while making a reservation on behalf of his Government as to the adjournment of the discussion.<sup>1</sup>

The representative of Chile, M. Rivas Vicuña, agreed to the postponement, but said that he would refrain from voting on that part of the resolution which involved the maintenance of sanctions. "I desire to state", he said, "that, without prejudging the examination of the substance of the problem, my Government is of opinion that, since the war is finished, sanctions should be raised. Sanctions no longer have any object, and they affect, not only the country against which they have been enforced, but also the countries applying them. My Government considers that, at the present time, the adoption of this point of view would constitute an effective contribution towards remedying the economic and political crisis from which the world is suffering."<sup>2</sup>

The representative of Ecuador, M. Zaldumbide, approved the adjournment of the substantive question, but said he could not subscribe to the last part of the resolution, to the effect that "the Members of the Council consider there is no cause for modifying the measures taken, including sanctions, during this conflict". His Government, which had raised sanctions for the reason it had stated to the Council in April, could not now associate itself with their maintenance. "Sanctions", he said, "were devised and adopted solely as the most appropriate means to accelerate the end of hostilities." He also criticised the expression "measures adopted in collaboration", used in the resolution. "Though it is true", he said, "that the principle of sanctions and the

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<sup>1</sup> On June 2nd, the Argentine Government asked that the Assembly might be convened, and expressed the view that the latter should examine "the situation brought about by the annexation of Ethiopia and also the position in regard to the sanctions enacted by the League". The Assembly was convened for June 30th, and the meeting of the Council, originally fixed for June 15th, was postponed until the 26th.

<sup>2</sup> In a communication of the same date, the Chilean representative also informed the Secretary-General of his Government's opinion concerning the raising of sanctions. "I should be glad", he added, "if you would communicate my Government's proposal to the competent organs for necessary action". The Chairman of the Co-ordination Committee informed the Chilean representative that, owing to the Council's decision to adjourn until the month of June, he also thought it advisable to postpone the meeting of the Committee of Eighteen to that date. The Chilean Government's communication, he said, would be submitted to that Committee.

conditions for the application of that principle were laid down by common agreement, it is no less true that it was left to the free will of States Members to adopt the internal measures. Governments were asked individually to promulgate the necessary decrees ; they did so in the full exercise of their liberty. Hence it would seem to follow that, just as the Governments were left free to conform to such action for such time as the circumstances in their opinion necessitated, so they were not bound by the decisions of other Governments or of the Co-ordination Committee to maintain sanctions indefinitely. Convinced of this, my Government did not consider it necessary to submit its decision for the previous consideration of the Sanctions Committee."

The Council noted these reservations, and adopted the draft resolution.

#### **B. Measures taken under Article 16 of the Covenant.**

##### *Co-ordination Committee.*

The Assembly adopted on October 10th, 1935, the following recommendation in connection with the Italo-Ethiopian conflict :

" The Assembly,

" Having taken cognisance of the opinions expressed by the Members of the Council at the Council's meeting of October 7th, 1935 ;

" Taking into consideration the obligations which rest upon the Members of the League of Nations in virtue of Article 16 of the Covenant and the desirability of co-ordination of the measures which they may severally contemplate :

" Recommends that Members of the League of Nations, other than the parties, should set up a Committee, composed of one delegate, assisted by experts, for each Member, to consider and facilitate the co-ordination of such measures and, if necessary, to draw the attention of the Council or the Assembly to the situations requiring to be examined by them."

The Co-ordination Committee which was set up in consequence of this recommendation met on the next day, October 11th. It consists of representatives of all the Members of the League, except Ethiopia and Italy. At the first session, fifty-two Governments were represented. The Committee elected as its President Dr. Augusto de Vasconcellos (Portugal).

*Committee of Eighteen.*

The Co-ordination Committee constituted a sub-committee, which was later called the Committee of Eighteen, which was requested to submit proposals to it. Later, on October 19th, the Co-ordination Committee gave to the Committee of Eighteen the following mandate :

“ The Co-ordination Committee requests the Committee of Eighteen to continue in session in order to follow the execution of the proposals already submitted to Governments, and to put such new proposals as it may think advisable to make before the Co-ordination Committee or the Governments represented thereon.

“ To this end, the Committee of Eighteen shall appoint such sub-committees, technical or other, as it may deem fit among its own members or from those of the Co-ordination Committee.”

The Committee of Eighteen is composed of representatives of the following Governments : Union of South Africa, Argentine, Belgium, United Kingdom, Canada, France, Greece, Mexico, Netherlands, Poland, Portugal, Roumania, Spain, Sweden, Switzerland, Turkey, Union of Soviet Socialist Republics and Yugoslavia. It elected as its Chairman Dr. de Vasconcellos, President of the Co-ordination Committee.

*Measures proposed.*

The Committee of Eighteen began its work immediately.

Under the first paragraph of Article 16 of the Covenant, should any Member of the League resort to war in disregard of its covenants under Articles 12, 13 or 15, the other Members “ 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 ”.

The second paragraph states that “ 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 ”.

Under paragraph 3, “ 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 minimise 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 ”.

In 1921, the Assembly, when voting a number of amendments to Article 16, adopted certain resolutions constituting “ rules for guidance ” which it recommended “ as a provisional measure ” to the Members of the League in connection with the application of Article 16 so long as the amendments have not been put into force. Resolution 3 declared that “ the unilateral action of the defaulting State cannot create a state of war; it merely entitles the other Members of the League to [resort to acts of war or to declare themselves in a state of war with the Covenant-breaking State; but it is in accordance with the spirit of the Covenant that the League of Nations should attempt, at least at the outset, to avoid war and to restore peace by economic pressure ”.

The exact status of the 1921 resolutions has been a subject of discussion ever since it became clear that the amendments voted at that time would not obtain the necessary ratifications for coming into force. An exchange of views on this question took place at the first meeting of the Committee of Eighteen. Without taking the 1921 resolutions as a legal foundation for their work, the Members of the League agreed to adopt various practical proposals capable of a general application and which might from time to time be revised and extended. Complete severance of financial, commercial or personal intercourse was not proposed at any of the meetings of the Committee. The Committee limited itself to proposing measures of economic and financial pressure.

On October 11th, the Committee of Eighteen submitted to the Co-ordination Committee, which adopted it, a first proposal dealing with arms, ammunition and implements of war, in which it was proposed (*a*) that Governments which were at that time enforcing an arms embargo on Ethiopia should immediately lift such embargo, and (*b*) that Governments should at once impose an embargo on the exportation, re-exportation or transit of arms, ammunition and implements of war to Italy and the Italian Colonies.

For a definition of arms, ammunition and implements of war, the Co-ordination Committee provisionally adopted the list contained in the Proclamation made shortly before by the President of the United States of America. A sub-committee of military experts was created by the Committee of Eighteen for the purpose of revising this list and, as a result of its work, a somewhat more detailed list was adopted by the Co-ordination Committee on October 16th, 1935 (Proposal I A).

Meanwhile, the Co-ordination Committee had adopted on October 14th a declaration concerning mutual support, proposed by the Committee of Eighteen, which reads as follows :

“ 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 minimise 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.”

On the same day, October 14th, the Committee of Eighteen adopted Proposal II, dealing with financial measures.

On October 16th, the Co-ordination Committee adopted the following resolution concerning the obligations which flow from Article 16 of the Covenant :

“ The Committee of Co-ordination,

“ Considering that it is important to ensure rapid and effective application of the measures which have been and may subsequently be proposed by the Committee ;

“ Considering that it rests with each country to apply these measures in accordance with its public law and, in particular, the powers of its Government in regard to execution of treaties :

“ Calls attention to the fact that the Members of the League, being bound by the obligations which flow from Article 16 of the Covenant, are under a duty to take the necessary steps to enable them to carry out these obligations with all requisite rapidity.”

During the following days, the Committee of Eighteen elaborated Proposals III (Prohibition of imports of Italian goods), IV (Embargo on certain exports to Italy) and V (Organisation of mutual support), which were adopted by the Co-ordination Committee on October 19th. All these Proposals and decisions were, immediately after their adoption, communicated to the various Governments, which were asked to inform

the Co-ordination Committee of the date on which they could be ready to put the measures into operation.

The Co-ordination Committee met again from October 31st to November 2nd. On the latter date, it decided to request all Governments to give full legal effect to Proposal II by or before November 18th, and decided to fix that same day for the entry into force of Proposals III and IV. It simultaneously adopted certain resolutions completing the various Proposals. For this same purpose, further resolutions and Proposals were adopted by the Committee of Eighteen on November 6th.

### *Summary of the Proposals adopted.*

*Proposal I* was, as explained above, to the effect that the arms embargo imposed on Ethiopia should be lifted and that an embargo should be imposed on the exportation, re-exportation or transit to Italy and Italian colonies of the arms, ammunition and implements of war defined in Proposal I A.

*Proposal II* was to the effect that the Governments of the Members of the League of Nations should put an embargo on all loans and credits to the Italian Government or to any public authority, person or corporation in Italian territory, either directly or indirectly.

In order to prevent the accumulation of credit balances under clearing agreements through exports to Italy, the Committee of Eighteen proposed (Proposal II A), on November 6th, 1935, that Governments should take measures to prohibit, as from November 18th, the acceptance of any new deposit of lire into an Italian clearing account in payment for such exports. It was also suggested in this Proposal that the purchase price of imports of Italian products which had not yet been paid for might be lodged in national accounts and be employed for the settlement of claims arising from exports to Italy. In this same connection, a resolution had been adopted by the Co-ordination Committee on November 2nd, by which the States applying measures in application of Article 16 of the Covenant declared that they considered that the debts payable by Italy to them under clearing or other arrangements, the payment of which would become impossible through the prohibition of



imports of Italian goods, would remain valid at their then present value, notwithstanding any action that might be taken by Italy.

*Proposal III* was to the effect that Governments should prohibit the importation into their territories of all goods consigned from, or grown, produced or manufactured in Italy or Italian possessions, from whatever place they arrived, with the following exceptions :

(a) Gold or silver bullion and coin ;

(b) Goods *en route* at the time of the imposition of the prohibition (November 18th) ;

(c) Personal belongings of travellers from Italy or Italian possessions ;

(d) Italian goods which have been subjected to some process or have been partly manufactured in another country, if 25 % or more of the value of the goods at the time when they left the last place from which consigned is attributable to processes undergone since the goods left Italy or Italian possessions ;

(e) Goods fully paid for by October 19th, 1935 (decision of November 2nd, 1935) ;

(f) Books, newspapers and periodicals, maps and cartographical productions, or printed or engraved music (*Proposal III A*, adopted on November 6th) ;

(g) Goods imported under contracts placed by a State or a wholly State-controlled institution on account of which not less than 20 % had been paid before October 19th and especially exempted before November 12th by the Subcommittee appointed by the Committee of Eighteen for that purpose.

*Proposal IV* was to the effect that Governments should prohibit the exportation and re-exportation to Italy and Italian possessions of the following articles :

(a) Horses, mules, donkeys, camels and all other transport animals ;

(b) Rubber ;

(c) Bauxite, aluminium and alumina (aluminium oxide), iron ore and scrap-iron ;

Chromium, manganese, nickel, titanium, tungsten, vanadium, their ores and ferro-alloys (and also ferro-molybdenum,

ferro-silicon, ferro-silico-manganese and ferro-silicon-manganese-aluminium) ;

Tin and tin ore.

List (c) above included all crude forms of the minerals and metals mentioned and their ores, scrap and alloys.

This proposal contained a clause to the effect that Governments should take steps to ensure that these goods, if exported to other countries, would not be re-exported directly or indirectly to Italy, and further, in this connection, it was proposed on November 6th (*Proposal IV B*) that Governments should take all measures in their power to verify the destination of all exports of goods falling under Proposal IV. The Committee of Eighteen expressed the opinion that those Governments which did not immediately restrict their exports of these articles should keep their volume and direction under constant review and, in the event of an abnormal increase in exports, take steps to prevent supplies reaching Italy or Italian possessions by indirect routes.

#### *Execution of the Proposals.*

Governments were requested to inform the Committee of the date on which they would be ready to put the Proposals into operation, and to communicate the text of any laws, decrees, proclamations and other instruments formulating or enforcing the measures proposed.

On November 6th, the Committee of Eighteen requested a number of Governments to nominate experts to study in Geneva the information furnished by Governments concerning the application of the Proposals of the Co-ordination Committee, and in particular to assist the President of the Co-ordination Committee with regard to any question which might be submitted by the Governments in this connection.

The Committee of Experts thus constituted met from November 27th to 30th, from December 10th to 12th, from January 29th to February 1st, from March 4th to 9th and on April 21st. At each of these meetings it examined the replies received from Governments concerning the application of the adopted Proposals. In the report it drew up after its second session, the Committee of Experts gave the following summary

**APPLICATION OF THE PROPOSALS OF THE CO-ORDINATION COMMITTEE**  
*Position according to the Communications received from Governments*  
*up to June 10th, 1936.*

Countries	Proposal I	Proposal II	Proposal III	Proposal IV	Proposal V
Afghanistan . . . . .	In force	In force	In force	In force	Accepted
Un. of South Africa	In force *	In force *	In force *	In force *	Accepted
Albania . . . . .	—	—	—	—	—
Argentina . . . . .	In force *	In force *	Before Parliament	In force *	1
Australia . . . . .	In force *	In force *	In force *	In force *	Accepted
Austria . . . . .	—	—	—	—	—
Belgium . . . . .	In force *	In force *	In force *	In force *	Accepted
Bolivia . . . . .	In force *	In force *	In force *	In force *	Accepted
United Kingdom . . . . .	In force *	In force *	In force *	In force *	Accepted
Bulgaria . . . . .	In force *	In force *	In force *	In force *	Accepted
Canada . . . . .	In force *	In force *	In force *	In force *	Accepted
Chile . . . . .	In force *	In force *	In force *	In force *	Accepted
China . . . . .	In force *	In force *	In force *	In force *	Accepted
Colombia . . . . .	In force *	In force *	In force *	In force *	Accepted
Cuba . . . . .	In force *	In force *	In force *	In force *	Under consideration
Czechoslovakia . . . . .	In force *	In force *	In force *	In force *	Accepted
Denmark . . . . .	In force *	In force *	In force *	In force *	Accepted
Dominican Rep. . . . .	In force *	In force *	In force *	In force *	Accepted
Ecuador . . . . .	—	—	—	—	—
Estonia . . . . .	In force *	In force *	In force *	In force *	Accepted
Finland . . . . .	In force *	In force *	In force *	In force *	Accepted
France . . . . .	In force *	In force *	In force *	In force *	Accepted
Greece . . . . .	In force *	In force *	In force *	In force *	Accepted
Guatemala . . . . .	Accepted in principle	Accepted in principle	Accepted in principle	Accepted in principle	Accepted
Haiti . . . . .	In force	In force	In force	In force	Accepted
Honduras . . . . .	Accepted in principle	In force *	Accepted in principle	Accepted in principle	Accepted
Hungary . . . . .	—	—	—	—	—
India . . . . .	In force *	In force *	In force *	In force *	Accepted
Iran . . . . .	In force *	In force *	In force *	In force *	Accepted
Iraq . . . . .	In force *	In force *	In force *	In force *	Accepted
Irish Free State	In force *	In force *	In force *	In force *	Accepted
Latvia . . . . .	In force *	In force *	In force *	In force *	Accepted
Liberia . . . . .	In force *	In force *	In force *	In force *	Accepted
Lithuania . . . . .	In force *	In force *	In force *	In force *	Accepted
Luxembourg . . . . .	In force *	In force *	In force *	In force *	Accepted
Mexico . . . . .	In force *	In force *	In force *	In force *	Accepted
Netherlands . . . . .	In force *	In force *	In force *	In force *	Accepted
New Zealand . . . . .	In force *	In force *	In force *	In force *	Accepted
Nicaragua . . . . .	In force *	In force *	Before Parliament	Before Parliament	1
Norway . . . . .	In force *	In force *	In force *	In force *	Accepted
Panama . . . . .	In force	Will take necessary measures	Will take necessary measures	Will take necessary measures	Accepted
Paraguay . . . . .	—	—	—	—	—
Peru . . . . .	In force *	In force *	In force *	In force *	Under consideration
Poland . . . . .	In force *	In force *	In force *	In force *	Accepted
Portugal . . . . .	In force *	In force *	In force *	In force *	Accepted
Roumania . . . . .	In force *	In force *	In force *	In force *	Accepted
Salvador . . . . .	Accepted in principle but considered unnecessary to apply	Accepted in principle but considered unnecessary to apply	In force *	Accepted in principle but considered unnecessary to apply	Accepted
Siam . . . . .	In force *	In force *	In force *	In force *	Accepted
Spain . . . . .	In force *	In force *	In force *	In force *	Accepted
Sweden . . . . .	In force *	In force *	In force *	In force *	Accepted
Switzerland . . . . .	In force *	In force *	—	In force *	1
Turkey . . . . .	In force *	In force *	In force *	In force *	Accepted
U.S.S.R. . . . .	In force *	In force *	In force *	In force *	Accepted
Uruguay . . . . .	In force *	Before Parliament	Before Parliament	In force *	Accepted
Venezuela . . . . .	In force *	In force *	Under consideration	Under consideration	Accepted
Yugoslavia . . . . .	In force *	In force *	In force *	In force *	Accepted

\* Texts have reached Geneva.

1 Reply not quite explicit.

\* With exception of imports arising out of clearing operations.

regarding the acceptance and application of the Proposals as it appeared from the replies received up to the end of January :<sup>1</sup>

“ *Proposal I* has been accepted by fifty-two Governments, of which fifty have notified the Co-ordination Committee of its entry into force ; legislative texts have been received from forty-four Governments.

“ *Proposal II* has been accepted by fifty-two Governments, of which forty-eight have notified the Co-ordination Committee of its entry into force ; legislative texts have been received from forty-one Governments.

“ *Proposal III* has been accepted by fifty Governments, of which forty-four have notified the Co-ordination Committee of its entry into force ; legislative texts have been received from thirty-nine Governments.

“ *Proposal IV* has been accepted by fifty-one Governments, of which forty-seven have notified the Co-ordination Committee of its entry into force ; legislative texts have been received from forty-one Governments. ”

Further details are given in the table on the preceding page.

#### *Non-Member States.*

The various Proposals and decisions of the Co-ordination Committee have been communicated by the President of the Committee to States non-members of the League.

The Secretary of State of the United States of America replied on October 26th, informing the President of the Co-ordination Committee that the President of the United States of America, on October 5th, 1935, had issued a proclamation bringing into operation, under an Act of Congress, an embargo on the exportation of arms, ammunition and implements of war to both belligerents. The issuance of this proclamation automatically brought into operation another section of the Act of Congress making it unlawful for any American vessel to carry arms, ammunition or implements of war to any port

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<sup>1</sup> See Co-ordination Committee document 110, pages 3, 4 and 7. Since that date there have been a few isolated changes in the situation. A number of legislative texts which were still outstanding have been received. Besides the four Members of the League (Albania, Austria, Hungary and Paraguay) which have taken no action under Article 16 of the Covenant, Ecuador decided on April 4th to revoke the measures which it had enacted (see above chapter on the Italo-Ethiopian dispute).

of the belligerent countries or to any neutral port for transshipment to or for the use of either of the belligerents. On the same day, the President issued a further proclamation warning American nationals against travel on belligerent vessels and stating that such travel would be at their own risk. In addition to the three measures just mentioned, the President took a fourth important step by issuing a public statement definitely warning American citizens against transactions of any character with either of the belligerent nations except at their own risk.

The Egyptian Government decided on October 30th to accede to the principle of the financial and economic measures decided upon by the Co-ordination Committee. It communicated later on the texts of decrees applying Proposals I, III and IV.

As a result of the Customs union existing between the Swiss Confederation and the Principality of Liechtenstein, the export prohibitions accepted by the Swiss Confederation (Proposals I and IV) automatically applied to Liechtenstein. Similarly, the steps taken by the Swiss Federal Council to enforce Proposal II have also been taken by the Principality of Liechtenstein.

The Co-ordination Committee has not been informed by any other non-member State that it had adopted any of the proposals or similar measures.

#### *Statistics.*

On January 22nd, the Committee of Eighteen requested the Committee of Experts to collect and publish statistics and other information concerning the state of trade between the countries applying the measures proposed by the Co-ordination Committee and Italy and Italian colonies. To this end, the Committee of Experts, during its session at the end of January, drew up a questionnaire to be submitted to all Governments Members of the Co-ordination Committee, with a view to obtaining statistics concerning the development of trade with Italy. Since then, the questionnaire has been submitted regularly each month to Governments and the information collected has been communicated to the members of the Co-ordination Committee and published.<sup>1</sup>

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<sup>1</sup> For further information see Co-ordination Committee documents 116, 120 and 125.

The information at present available gives the following picture :

	Number of countries for which statistics are available	Percentage of Italian exports to these countries in 1932/33 as compared with the total Italian exports	Imports from Italy and Italian colonies (in millions of former United States gold dollars)		Percentage of imports from these countries to Italy in 1932/33, as compared with the total Italian imports	Exports to Italy and Italian colonies (in millions of former United States gold dollars)		Net imports of gold from Italy (in millions of former United States gold dollars)
			1934/35	1935/36		1934/35	1935/36	
			November . . . . .	69		96.5	21,884	
December . . . . .	68	96.5	21,942	17,482	95	30,479	21,945	8,477
January . . . . .	67	96	19,470	10,168	94.5	26,793	15,292	27,241
February . . . . .	62	95.5	19,694	8,657	93.5	27,757	16,799	16,518
March . . . . .	38	86	17,979	9,315	86	26,326	15,589	12,771
April . . . . .	22	60	12,185	5,061	56.5	15,580	8,296	4,129

The situation was commented upon as follows by the Chairman of the Committee of Experts at the end of April:<sup>1</sup>

“ Owing to the time required for legislation to be passed and the exceptions allowed under the various Proposals of the Co-ordination Committee, Proposal III did not become effective until about the New Year. In January 1936, Italian exports fell off by nearly half and Italian imports by well over a third, as compared with January 1935. The figures so far available for February show the progressive effect of sanctions.

“ These figures include imports into countries which do not apply Proposal III. If these are eliminated, the exports from Italy to those countries which *do* apply that Proposal have become negligible.

“ It is essential to remember that the figures are the statistics of the countries from which information is available—*i.e.*, that Italian exports are shown as imports of those countries and Italian imports as exports of those countries. This is particularly important in estimating the Italian trade balance. The value indicated by the other countries as imports from Italy is higher than the price Italy obtains for her exports; for that value includes the costs of transport, insurance and other costs which fall on those exports — in fact, the difference between *f.o.b.* and *c.i.f.* Similarly, Italy has to pay more for her imports than is indicated by the statistics of the exporting countries. Those differences are usually estimated on an average of 10 % of the value of the goods. If this adjustment is made throughout to the figures available, Italy's unfavourable balance is considerably increased. It will be noticed that the Italian gold exports during recent months greatly exceed the apparent unfavourable trade balance. The reason just advanced may in part explain these heavy gold losses. The Governor of the Bank of Italy stated that the gold holdings

<sup>1</sup> Co-ordination Committee document 119.

of the Bank were reduced by 909 million gold lire, corresponding to 47.8 million gold dollars, between October 20th and the end of 1935. The replies to the questionnaire show that, during a somewhat shorter period — namely, during November and December 1935 — gold imports from Italy amounting to 579.1 million gold lire (30.5 million gold dollars) were registered by the countries for which we have information. The gold and foreign assets reserve of the Bank of Italy on October 20th, 1935, amounted to 4,316 million gold lire (227.2 million gold dollars). What amount of gold and foreign assets the Government has been able to collect domestically since October is not known.”

The replies received from Governments indicated for the first three months of 1936 net imports of gold from Italy amounting to 1,073.5 million gold lire (56.5 million gold dollars). The incomplete data available for April showed net gold imports of 77.9 million gold lire (4.1 million gold dollars).

#### *Mutual Support.*

The Co-ordination Committee adopted, on October 19th, Proposal V, which reads as follows :

“ The Co-ordination Committee draws the special attention of all Governments to their obligations under paragraph 3 of Article 16 of the Covenant, according to which the Members of the League undertake mutually to support one another in the application of the economic and financial measures taken under this article.

“ I. With a view to carrying these obligations into effect, the Governments of the Members of the League of Nations will :

“ (a) Adopt immediately measures to assure that no action taken as a result of Article 16 will deprive any country applying sanctions of such advantages as the commercial agreements concluded by the participating States with Italy afforded it through the operation of the most-favoured-nation clause ;

“ (b) Take appropriate steps with a view to replacing, within the limits of the requirements of their respective countries, imports from Italy by the import of similar products from the participating States ;

“ (c) Be willing, after the application of economic sanctions, to enter into negotiations with any participating country which has sustained a loss, with a view to increasing the sale of goods so as to offset any loss of Italian markets which the application of sanctions may have involved ;

“ (d) In cases in which they have suffered no loss in respect of any given commodity, abstain from demanding the application of any most-favoured-nation clause in the case of any privileges granted under paragraphs (b) and (c) in respect of that commodity.

“ II. With the above objects, the Governments will, if necessary with the assistance of the Committee of Eighteen, study, in particular, the possibility of adopting, within the limits of their existing obligations, and taking into consideration the annexed opinion of the Legal Sub-Committee of the Co-ordination Committee, the following measures :

“ (1) The increase by all appropriate measures of their imports in favour of such countries as may have suffered loss of Italian markets on account of the application of sanctions ;

“ (2) In order to facilitate this increase, the taking into consideration of the obligations of mutual support and of the advantages which the trade of certain States Members of the League of Nations, not participating in the sanctions, would obtain from the application of these sanctions, in order to reduce by every appropriate means and to an equitable degree imports coming from these countries ;

“ (3) The promotion, by all means in their power, of business relations between firms interested in the sale of goods in Italian markets which have been lost owing to the application of sanctions and firms normally importing such goods ;

“ (4) Assistance generally in the organisation of the international marketing of goods with a view to offsetting any loss of Italian markets which the application of sanctions may have involved.

“ They will also examine, under the same conditions, the possibility of financial or other measures to supplement the commercial measures, in so far as these latter may not ensure sufficient international mutual support.

“ III. The Co-ordination Committee requests the Committee of Eighteen to afford, if necessary, to the Governments concerned the assistance contemplated at the beginning of Part II of the present proposal.”

In the resolution adopted by the Co-ordination Committee on November 2nd, the Members of the League participating in the measures taken under Article 16 of the Covenant recognised :

“ (a) That, on the discontinuance of the measures taken in regard to Italy under Article 16 of the Covenant, they should



support one another in order to ensure that Italy discharges her obligations to the creditor States as she should have done if she had not incurred the application of Article 16 of the Covenant ;

“ (b) Furthermore, that, if in the meantime particularly serious losses are sustained by certain States owing to the suspension by Italy of the payment of the aforesaid debts, the mutual support provided for by paragraph 3 of Article 16 will be specially given in order to make good such losses by all appropriate measures.”

Proposal V was accepted by forty-six Governments, whilst in addition three Governments sent communications which would appear to indicate their acceptance in principle. The Government of the Union of South Africa indicated in detail in its reply the measures which it was prepared to take for the organisation of mutual support and stated that it was prepared to give an assurance that it “ will not conclude with States Members of the League of Nations not participating in the application of sanctions trade agreements such as are now provided for in the Union’s legislation for the encouragement of trade by tariff concessions or most-favoured-nation treatment ”.

*Extension of the Embargo on Exports to Italy (Proposal IV A).*

On November 6th, the Committee of Eighteen adopted Proposal IV A, in which it submitted that it was expedient that the measures of embargo provided for in Proposal IV should be extended to petroleum, iron and steel, coal and coke, as soon as the conditions necessary to render this extension effective had been realised.

The question was resumed on January 22nd, when the Committee of Eighteen decided to create a Committee of Experts to conduct a technical examination of the conditions governing the trade in and transport of petroleum and its derivatives, by-products and residues with a view to submitting an early report to the Committee of Eighteen on the effectiveness of the extension of measures of embargo to the above-mentioned commodities.

The Committee of Experts thus created met from February 3rd to 12th under the Chairmanship of M. Marte Gomez (Mexico). It was composed of experts designated by the Governments of the United Kingdom, France, Iran, Iraq, Mexico, the

Netherlands, Norway, Peru, Roumania, Sweden and the Union of Soviet Socialist Republics. The Venezuelan Government sent an observer.

The Committee summed up its findings as follows:<sup>1</sup>

“ (1) The figures given above with reference to consumption, to stocks and to supplies which might be *en route* at the moment of the imposition of an embargo on the export of petroleum and petroleum products make it possible to estimate roughly the period which would have to elapse before such an embargo, were it to be universally applied, would become fully effective. In the conditions prevailing at the moment of its session, the Committee is of opinion that this period may be taken to be about three and a half months.

“ (2) In the event of such an embargo being applied by all States Members of the Co-ordination Committee, it would be effective if the United States of America was to limit its exports to Italy to the normal level of its exports prior to 1935.

“ (3) If such an embargo were applied by the States Members of the Co-ordination Committee alone, the only effect which it could have on Italy would be to render the purchase of petroleum more difficult and expensive.

“ (4) In view of the possibility of substitutes being used to some extent for petrol (motor spirit), an embargo on the export of petroleum and petroleum products would be strengthened were it extended to cover industrial alcohol and benzol.

“ (5) The effectiveness of an embargo imposed by States Members of the Co-ordination Committee on the transport of oil to Italy is subject to the same limitations as an embargo on exports. Were these States alone to prohibit the use of tankers for the transport of oil to Italy, it would be able to satisfy its needs up to about 50 % from its own resources, and the rest by means of vessels of other States, but with greater difficulty and at greater expense.

“ (6) If an embargo on transport should be decided on, the Committee is of the opinion that the most practicable form of embargo would be one which would prohibit tankers from proceeding to Italy and would also prohibit the sale of tankers to States not applying the embargo.

“ (7) Should it be decided to impose an embargo on petroleum, attention should be given to the necessity of taking suitable measures to prevent traffic by indirect routes, including use of free ports, which is of special importance as regards petroleum.”

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<sup>1</sup> Co-ordination Committee document 113.

The report of the Committee was laid before the Committee of Eighteen, which met on March 2nd, but was not considered by the latter Committee.<sup>1</sup> On March 4th, the Committee of Experts on Petroleum was asked by the Committee of Eighteen to examine the methods of applying an oil embargo.

The Committee of Experts on Petroleum met for this purpose on March 7th, and drew up a report<sup>2</sup> in which it indicated in detail the measures which should be taken if an oil embargo were decided upon.<sup>1</sup>

*Proposed Amendments to Proposal III (Prohibition of Imports from Italy).*

The President of the Co-ordination Committee asked the Committee of Experts at its session at the end of January to examine whether, in Proposal III, the proportion of 25 % to be added to the value of Italian goods in other countries before they could be accepted as the "nationalised" products of these other countries, and thus exempted from the embargo on Italian goods, was unduly low.

The Committee stated in its report<sup>3</sup> that it had no hesitation in expressing the view that the application of the laws and decrees giving effect to Proposal III would be rendered easier were the percentage raised from 25 % to a far higher figure, for instance 50 %.

This report was considered by the Committee of Eighteen on March 2nd. M. Flandin (France) suggested that other criteria might also usefully be taken into account, as it was difficult for Customs authorities to decide on the percentage of added value.

M. Flandin, moreover, made other suggestions designed to make more effective the application of Proposal III.

The Committee of Eighteen decided, on March 4th, to refer these various suggestions to the Committee of Experts. The latter met from March 4th to 9th. On the latter date, its discussions were adjourned and it decided not to submit any report on the points submitted to it until it was reconvened by the President of the Co-ordination Committee.

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<sup>1</sup> The reasons for the successive adjournments of the consideration of Proposal IV<sub>A</sub> are given above in the chapter dealing with the Italo-Ethiopian dispute.

<sup>2</sup> Co-ordination Committee document 115.

<sup>3</sup> Co-ordination Committee document 110.

*Exchanges of Views between the Government of the United Kingdom and Other Governments in connection with Mutual Support.*

On January 22nd, the Government of the United Kingdom sent the President of the Co-ordination Committee a memorandum on the "exchanges of views" that had taken place between that Government and the French and certain other Governments in connection with Article 16 of the Covenant. The memorandum stated that, on October 14th, 1935, the Co-ordination Committee had recognised that any proposals for action under Article 16 of the Covenant were made on the basis of paragraph 3 of that article, by which the Members of the League agreed *inter alia* that they would mutually support one another in resisting any special measures aimed at one of their number by the Covenant-breaking State. The application of this principle, universal as it might be, called for the special co-operation of those Members of the League which, by reason of their military situation or their geographical position, are most immediately concerned. It had, therefore, in the particular case, to be ascertained whether the States whose assistance was specially required would be prepared to provide concrete assistance, and, if so, what would be the precise character of that assistance.

The United Kingdom Government decided, in the first instance, to ask the French Government whether it interpreted paragraph 3 of Article 16 as did the former Government. This enquiry was put to the French Government on October 14th, and in the course of an oral reply the view of that Government on this point was stated to be that the French Government fully considered Article 16 as implying complete solidarity between each of the Members of the League in respect of that one of them which may have been attacked by the Covenant-breaking State, if this attack has been clearly brought about by the application of the provisions of the said article, the execution of which shall have been decided upon in common. This definition of the general principle was satisfactory to His Majesty's Government, but there were certain points concerning its practical application to the present dispute which required elucidation.

Further discussions took place between the two Governments, and, on October 18th, the French Government made a statement to His Majesty's Government in writing to the effect that it

certainly interpreted the obligation prescribed for Members of the League of Nations towards any one of them which should, as a result of measures taken in application of Article 16, be exposed to attack by the Covenant-breaking State, as implying unlimited solidarity of action in the matter of military, air and naval assistance. This obligation would be governed by the measures taken in fulfilment of Article 16, within the limits of its application. The French document added that the United Kingdom Government itself seemed to share this view, since it offered the French Government the assurance that it would not take the initiative in any measure against Italy which would not be in conformity with the decisions taken, or to be taken, by the League of Nations in full agreement with France. Strengthened by this assurance, the French Government was in a still better position to confirm, in the clearest and most precise manner, that in a possible attack by Italy upon the United Kingdom, by reason of the latter's collaboration in the international action undertaken by the League of Nations and pursued in concert with France, French support of the United Kingdom was assured fully and in advance within the framework of the interpretation which the Governments of the two countries were in agreement in placing upon the obligation provided for in Article 16 of the Covenant.

Following on this agreement, there were conversations between the naval, military and air staffs of the two countries, relating solely to common action in the event of an outbreak of hostilities in the Mediterranean owing to the application of sanctions. No other contingency, such as the situation on the north-eastern frontier of France, was considered.

His Majesty's Government made similar enquiries, subsequently, from the Governments of Greece, Turkey and Yugoslavia. The replies received from these three Governments, after consultation with one another, left no doubt of their readiness faithfully to apply all the obligations devolving upon them under the Covenant, in consequence of measures taken in application of Article 16.

His Majesty's Government also learnt that on December 21st the French Government was informed by the three Governments of the enquiries made by His Majesty's Government, and of the assurances given in reply ; and that the Italian Government

was also informed by the French Government of the fact that conversations had recently taken place between the French and British staffs, and also of the assurances given to His Majesty's Government by the Turkish, Greek and Yugoslav Governments in reply to enquiries made at Ankara and Athens and Belgrade.

The Turkish Government subsequently asked the United Kingdom Government for the same assurances in exchange. The latter Government acceded to this request and to a similar request made by the Yugoslav and Hellenic Governments.

In a series of communications, the representatives of France, Turkey, Greece and Yugoslavia confirmed the details given in regard to them in the British memorandum, whilst the Roumanian and Czechoslovak representatives said that the replies furnished to the British Government by Yugoslavia, Greece and Turkey had been given in complete agreement with them.

On January 24th, the Spanish delegation announced that, having been informed by the United Kingdom Government of the conversations that it had had with the Governments of France, Greece, Turkey and Yugoslavia regarding the application of certain provisions of Article 16, paragraph 3, of the Covenant, the Spanish Government could only repeat that Spain would, as always, honour her engagements; and that, as regards the specific case of the Mediterranean, the Government of the Republic considered that, inasmuch as the hypothesis contemplated was linked with the application of the measures taken under Article 16 of the Covenant, if it were thought necessary to study the case, it should be studied in the committees set up for that purpose at Geneva, so as to ensure that the article in question was applied as effectively as possible.

On January 24th, the Italian Government communicated to the Government of the United Kingdom, through their Ambassador, a *note verbale*, embodying their views on the British memorandum of January 22nd.

While confirming the reserves and the protest originally made in regard to the measures decided upon against Italy in connection with the first paragraph of Article 16 of the Covenant, the Italian Government made the most formal reserves and protested against the interpretation and application of Article 16, upon which the British memorandum based the

agreements of a military character arrived at between the British and other Governments.

In acknowledging the receipt of this communication, the British Government informed the Italian Ambassador that its position remained as stated in its memorandum and that it did not feel that any useful purpose would be served by prolonging correspondence on the subject.

The correspondence on these exchanges of views has been published,<sup>1</sup> including the Italian Government's protest, a copy of which had been communicated by the Government of the United Kingdom at the same time as its reply.

## VII. QUESTION OF THE RELATIONS BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS AND URUGUAY.<sup>2</sup>

On January 4th, 1936, the Secretary-General was informed by M. Litvinoff, People's Commissar for Foreign Affairs of the Union of Soviet Socialist Republics, that the Soviet Minister at Montevideo had received from the Government of Uruguay a declaration of suspension of diplomatic relations between that country and the Union of Soviet Socialist Republics. Prior to this communication, the Uruguayan Government had made no complaint against the Soviet Government, and no dispute existed between the two countries. The Soviet Government therefore considered that the rupture of diplomatic relations without previous recourse to the methods laid down in Article 12, paragraph 1, of the Covenant constituted a serious breach of one of the fundamental principles of the League. In accordance with Article 11, paragraph 2, of the Covenant, the Soviet Government therefore drew the Council's attention to the situation.

Some days afterwards, the Soviet Government sent a copy of the communication addressed by the Uruguayan Government to the Soviet Minister at Montevideo, and of the Minister's replies.

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<sup>1</sup> See Co-ordination Committee documents 108 to 108 (h) inclusive.

For fuller details as to the co-ordination of the measures taken in application of Article 16 of the Covenant in connection with the conflict between Ethiopia and Italy, consult the Minutes of the Co-ordination Committee and of the Committee of Eighteen and its Sub-Committees. These will be found in Special Supplements of the *Official Journal* : No. 145 (1935) and Nos. 146, 147 and 148 (1936).

<sup>2</sup> See *Official Journal*, February 1936, pages 90-106, 137 and 138 and 232-239.

The letter dated December 27th, 1935, from the Uruguayan Government to the Soviet representative in Montevideo stated that the Government had decided to suspend diplomatic relations with the Soviet Union. Owing to serious disturbances that had recently occurred in Brazil, the Government of that country had informed the Uruguayan Foreign Minister that the Soviet Government, through its Legation in Montevideo, had given support to Communist elements in Brazil. Moreover, at the Congress of the Third International, held in Moscow in July 1935, several speakers had expressed their sympathy for M. Prestes, the leader of the Brazilian revolutionary movement. No distinction could be made between the Third International and the Soviet Government. Moreover, according to information obtained by the Uruguayan Government, the Soviet Legation in Montevideo had issued bearer cheques for large sums and for objects that could not be determined, although there was strong reason to believe that these sums had served to support the revolutionary movement in Brazil.

In his replies, the Soviet representative in Montevideo, after stating that his Government had several times declared that there was no connection between the Communist International and the Soviet Government, asserted that the Soviet Legation had never given any direct or indirect assistance to political parties in South America, and had never remitted funds to Brazil or to any other country by cheque or in any other way.

In the Council, on January 23rd, M. Litvinoff said that, by breaking off relations with the Soviet Union without submitting its dispute to arbitration or to enquiry by the Council, in accordance with Article 12 of the Covenant, Uruguay had violated that instrument. Article 12 must be applied whatever the nature of the dispute. Although that article mentioned resort to war, this did not mean that it did not also concern ruptures that did not lead to war. M. Litvinoff then rejected all the accusations against his Government's representative in Montevideo; he referred to the fact that long before the establishment, at the beginning of 1934, of a Soviet Legation in that town, there had, on various occasions, been political disturbances both in Brazil and in Uruguay. The Soviet Legation during the two years of its existence had received a sum of 55,000 American dollars. No part of that sum had been remitted to any place outside Uruguay.



He therefore asked the Uruguayan Government to furnish the Council with proof of its assertions in regard to the cheques.

The Uruguayan representative, M. Guani, began by saying that on several occasions various Governments had been led to break off diplomatic relations with the Soviet Union owing to incidents connected with the use made by Soviet representatives of their diplomatic immunity. After referring to discussions in the Moscow Congress of the Third International on the position in Latin America, he said that it had been his Government's duty to give its firm support to its neighbours and friends in America in the defence of order and of peace. The other Members of the Council would, in similar circumstances, have done what Uruguay had done. She had, moreover, full liberty to break off diplomatic relations, and Article 12 was not involved. This was a matter for the domestic jurisdiction of a State, and the adoption of a measure of national security such as Uruguay had taken was one entirely within its sovereign power.

M. Litvinoff replied by disputing the legal value of M. Guani's arguments. He added that the Uruguayan Government had made a number of accusations in support of its decision and was bound to furnish proof of these.

M. Guani replied that his Government's decision was a purely domestic matter, and that he was not bound to supply the Council with reports from the Uruguayan police or confidential information from banks in Montevideo.

After further speeches by the representatives of the two parties and declarations by the Argentine and Chilian representatives in favour of the Uruguayan contentions, the Council, on the motion of the President, asked the representative of Roumania, M. Titulesco, assisted by the representatives of Spain and Denmark, to submit a report.

On January 24th, the Rapporteur placed before the Council the following resolution, which was adopted :

“ Whereas the representative of Uruguay refuses to give the proofs demanded by the Government of the Union of Soviet Socialist Republics, alleging that the question is one of internal law ;

“ Whereas the representative of the Union of Soviet Socialist Republics has stated that he is satisfied by Uruguay's refusal to prove the charges brought against the Soviet Legation in Montevideo and that he is prepared to leave the question to the

judgment of international public opinion, a course which the representative of Uruguay also accepts for his country';

“ Whereas the Council is dealing with the question under Article 11, paragraph 2, of the Covenant, and, its mission being essentially one of conciliation, any resolution it may take must be adopted unanimously ;

“ The Council :

“ Expresses the hope that the interruption of diplomatic relations between Uruguay and the Union of Soviet Socialist Republics will be temporary, and that the two countries will take a favourable opportunity of renewing those relations ;

“ Invites the two parties to refrain from any act which might be harmful to the interests of peace and to the resumption of their diplomatic relations in the future.”

After the resolution had been adopted, the President, Mr. Bruce (Australia), remarked that the statements which had been made, and especially those dealing with the internal affairs of certain countries, represented solely the personal opinion of the individual member that had made them.

After the Council's session, the Brazilian Government, through its Consul-General in Geneva, expressed its thanks to the President of the Council for the distinguished manner in which he had upheld the traditions of the League of Nations.

The representatives of the Argentine, Chile and Portugal announced on behalf of their Governments that they disapproved of the declarations made in the Council concerning incidents that had occurred in certain countries. The last two Governments also desired to make it clear that they did not agree with the legal theses expounded by the representative of the Union of Soviet Socialist Republics. The representative of the Argentine had maintained the same point of view in the Council.

#### VIII. TREATY OF MUTUAL GUARANTEE BETWEEN GERMANY, BELGIUM, FRANCE, GREAT BRITAIN AND ITALY, DONE AT LOCARNO ON OCTOBER 16TH, 1925.<sup>1</sup>

##### *Communications from the French and Belgian Governments.*

On March 8th, 1936, the Governments of France and Belgium sent the Secretary-General the following telegrams :

<sup>1</sup> For further details, see the Minutes of the Ninety-first (Extraordinary) Session of the Council, *Official Journal*, April 1936 (Part I).

*French Government :*

“ By Article 1 of the Treaty negotiated at Locarno to which Belgium, France, the British Empire, and Italy are Parties with Germany, Germany confirmed, *inter alia*, her intention to observe the stipulations of Articles 42 and 43 of the Treaty of Versailles, which provide for the demilitarisation of the German territory on the left bank of the Rhine and on the right bank of the zone situated between that river and a line drawn fifty kilometres to the east.

“ In virtue of Article 8 of the Treaty of Locarno, that Treaty cannot cease to have effect otherwise than by a decision of the Council of the League of Nations voting by a two-thirds majority.

“ Notwithstanding these explicit provisions, the Government of the Reich, by a communication made yesterday to the representatives in Berlin of the signatory Powers, has just repudiated this Treaty by a unilateral act.

“ Moreover, in reply to a question put by the French Ambassador when this notification was made to him, the Minister for Foreign Affairs of the Reich announced that the German Government proposed to send small detachments into the demilitarised zone as a symbolical act.

“ In fact, the appearance of considerable military forces is already reported in several localities of the zone.

“ The German Government has thus expressly violated Article 43 of the Treaty of Versailles and Article 1 of the Treaty of Locarno.

“ Consequently, in conformity with Article 4 of the last-named Treaty, the French Government has the honour to seize the Council of the League of Nations of the violation thus committed.

“ In view of the urgency of the matter, I should be obliged if you would take all necessary measures for the Council to meet as soon as possible.”

*Belgian Government :*

“ By a communication made on March 7th to the Belgian Government, the German Government gave notice that it no longer considered itself bound by the Treaty of Guarantee of Locarno and that German troops were entering the demilitarised zone. This fact constituting a violation of Articles 42 and 43 of the Treaty of Versailles, the Belgian Government has the honour, in conformity with Article 4, paragraph 1, of the Treaty of Guarantee of Locarno, to lay the question immediately before the Council of the League of Nations. I should be grateful if you would take the necessary measures in order that the Council may be convened as soon as possible.”

In response to these communications, the President of the Council, Mr. Bruce, representative of Australia, after consulting

his colleagues, summoned that body to meet in extraordinary session at Geneva on Friday, March 13th. But, on March 10th, the representatives of Belgium, France, the United Kingdom and Italy who, with Germany, were signatories of the Locarno Treaty, asked that, owing to the circumstances, the Council session might be held in London. It was decided to do so, and, on Saturday, March 14th, the Council met at St. James's Palace, which had been graciously placed at its disposal by His Majesty King Edward VIII.

In accordance with Article 4, paragraph 5, of the Covenant, the representative of Belgium was invited to take his seat at the Council table.

The question of the participation of the German Government in the Council's deliberations was also raised. On March 9th, the Secretary-General had forwarded to that Government the French Government's communication, adding that :

“ Should the German Government, as Contracting Party to the Treaty mentioned above (Treaty of Locarno), wish to take part in the examination of this question by the Council, I should be grateful if you would inform me.”

On March 14th, the Council decided to invite the German Government as a Contracting Party to the Locarno Treaty to take part in the examination of the communications from the French and Belgian Governments.

On March 15th, the Government of the Reich replied that it was, in principle, prepared to accept the Council's invitation. The communication added :

“ It assumes in this connection that its representative will take part on equal terms with the representatives of the Powers represented on the Council in the discussions and decisions of the Council. I should be obliged if you would confirm this assumption.

“ The German Government must further draw attention to the following fundamental consideration. The German Government's action, which has been the occasion of the summoning of the Council by the Belgian and French Governments, does not consist merely in the restoration of German sovereignty in the Rhineland zone, but is bound up also with comprehensive concrete proposals to give a new assurance of peace in Europe. The German Government regards the political action which it has taken as a whole, the component parts of which cannot be separated from one another. For this reason, the German Government can participate in the Council's proceedings only if it is assured that the

Powers concerned are prepared to enter into negotiations forthwith<sup>1</sup> in regard to the German proposals. The German Government will, with this object, place itself in touch with His Majesty's Government in the United Kingdom, under whose presidency the Powers concerned in the Rhine Pact of Locarno are met together for discussion in London."

On March 16th, the Council instructed the Secretary-General to send the following telegram in reply :

"Germany will participate in the examination by the Council of the question submitted by the Belgian and French Governments on the same terms as the representatives of the other guaranteed Powers whose situation under the Treaty is the same as that of Germany—that is, with full right of discussion, the votes of the three Powers not being counted in calculating unanimity. In regard to the second question, it is not for the Council to give the German Government the assurance which it desires."

On March 17th, the German Government acknowledged the receipt of this telegram and stated that as from Thursday, March 19th, it would be represented on the Council by Ambassador von Ribbentrop, who would reach London on Wednesday, the 18th.

Pending the decision of the German Government as to its representation on the Council, the latter body heard statements from the French and Belgian delegates; after which, as the exchange of communications with Berlin was prolonged and the Government of the Reich did not desire to be represented, even by an observer, before the arrival of M. von Ribbentrop, the other Members of the Council in turn stated their views.

On March 14th, M. Flandin, representative of France, declared that, in denouncing the breach of Articles 2 and 8 of the Locarno Treaty, France had not so much exercised a right as performed a duty. The Treaty in question authorised her to take strong and decisive measures forthwith. She had refrained from doing so, thus giving the fullest expression to her respect for international law. In virtue of Article 4 of the Locarno Treaty, France asked the Council to establish the fact of a breach of the Treaty and to recommend such steps as might be considered

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<sup>1</sup> The original text, which was in German, contained at this point the word "alsbald". Semi-official telegrams from Berlin stated that this word had the meaning of "as soon as possible".

desirable. Confident in the readiness of the guarantor Powers to perform the duties devolving on them as a result of that finding, she was resolved to place at the League's disposal all her forces, both material and moral.

M. Flandin reminded the Council that, in justification of her action, Germany had invoked the approval by the French Chamber of Deputies of the Franco-Soviet Pact, regarding which there had been an exchange of notes in May and June 1935 between the Government of the Reich, France and the Governments guarantors of the Locarno Treaty. If it had not been convinced by the legal arguments contained in the notes of the other Governments, the Reich might have submitted the question of the compatibility of the Franco-Soviet Pact with the Treaty of Locarno to arbitration. M. Flandin had publicly declared, and he desired to repeat this declaration, that France would accept a decision of the Permanent Court of International Justice at The Hague. The German Government had preferred to repudiate a Treaty which Chancellor Hitler had repeatedly recognised as having been freely agreed to.

Besides the repudiation of the Locarno Treaty, the Council must declare that there had been a violation of Article 43 of the Treaty of Versailles, which violation Article 44 describes as "a hostile act". Once this had been done, it would be for the guarantors to furnish France and Belgium with the assistance provided for in the Treaty. France's rights and the guarantors' duties were not alone involved. It was a question of the interests of peace and of the very existence of the League of Nations. The question at issue was whether the practice of the *fait accompli*, the unilateral repudiation of undertakings freely accepted, was going to be set up in Europe as a political system; whether this method was compatible with the existence of the League and with the method of collective security. On April 17th, 1935, the Council had recognised that Members must oppose by all appropriate means the repudiation of undertakings affecting the security of the nations of Europe and the maintenance of peace.

The French representative concluded by asking the Council to declare that a breach of Article 43 of the Treaty of Versailles had been committed by Germany and to request the Secretary-General to notify the Powers signatories of the Locarno Treaty,

in accordance with Article 4 of that Treaty. This notification would enable the guarantor Governments to discharge their obligations of assistance, and the Council would have to consider how it could support that action by recommendations addressed to the Members of the League.

The Belgian representative, M. van Zeeland, pointed out that no country was more affected than Belgium by the remilitarisation of the Rhineland and by the unilateral renunciation of the Treaty of Locarno. The demilitarisation of the above territory constituted one of the essential elements of Belgium's security, and the Treaty of Locarno was, with the Covenant, the very foundation of her international status. No reproach could be levied against Belgium, with whom the Franco-Soviet Pact had nothing to do. The Locarno Treaty, more than any other international instrument, combined all the characteristics of inviolability. The obligations, rights and advantages of this Treaty were placed, as regards the guaranteed Powers, on the basis of reciprocity. He desired to say that, in his country's view, the Locarno Pact, with the obligations and assurances it involved for the signatories, was still in being. He had resolved to remain strictly on the plane of reason and he intended that his country should fully contribute to the efforts at reconstruction. Belgium would play her part to the full, in the future as in the past, where any collective international effort was concerned.

M. van Zeeland concluded by asking the Council to take note that a breach of Articles 42 and 43 of the Treaty of Versailles had been committed and at once to notify the Powers signatories of the Locarno Treaty and, in particular, the guarantor Powers.

On March 16th, the representative of France, on behalf of the French and Belgian Governments, handed in the following resolution :

“ The Council of the League of Nations,

“ On the application of Belgium and France, made to it on March 8th, 1936 :

“ Finds that the German Government has committed a breach of Article 43 of the Treaty of Versailles by causing, on March 7th, 1936, military forces to enter and establish themselves in the demilitarised zone referred to in Article 42 and the following articles of that Treaty, and in the Treaty of Locarno ;

“ Instructs the Secretary-General, in application of Article 4, paragraph 2, of the Treaty of Locarno, to notify this finding of the Council without delay to the Powers signatories of that Treaty.”

The Council considered this resolution on March 17th, 18th and 19th.

M. Rüstü Aras, the Turkish representative, said that, in virtue of the stipulations of the Locarno Pact, the Council's duty was to act as arbitrator. But it had two other rôles to play: that of mediator and that of guarantor of security. Mediation would be undesirable until the Council had given satisfaction to France and Belgium in connection with the draft resolution submitted. But when this decision had been taken, the Council's duty would be to give its assistance and support to the Locarno guarantors, in accordance with the spirit and letter of the Covenant.

M. Litvinoff, representative of the Union of Soviet Socialist Republics, said that, although his country was not a party to the Versailles and Locarno Treaties, it desired to express its indignation at a violation of international obligations and to declare in favour of the most effective measures to avert similar infringements in the future. A League of Nations that did not take concrete measures to uphold international engagements could not be taken seriously. The question before the Council was remarkably simple, for there was not only a substantial infringement of a treaty, but also the ignoring of a clause in a treaty providing a method of settling disputes that might arise. The German Government's assertion that the Franco-Soviet Pact, a purely defensive instrument, was incompatible with the Treaty of Locarno could not be upheld. That Treaty gave France, as any other Member of the League, the right to come to the assistance of the Soviet Union, should the latter be the victim of an attack by Germany, especially as the absence of a common frontier between Germany and the Soviet Union enabled an unmistakable definition of the aggressor to be given. The Reich further declared that the demilitarisation of the Rhineland was contrary to the principle of the equality of status. But the remilitarisation of that territory by a unilateral act would not make for the peace of Europe; for, if Germany desired to carry out that remilitarisation, it was because she had in view the setting up of the hegemony of Germany over the whole



European continent. No country was a threat to Germany, and there was no idea of encircling the Reich.

It was true that the German Government had submitted a plan to ensure the better organisation of peace. In reality, the new pact of non-aggression on the West offered by the Reich to France and Belgium was of shorter duration and involved less guarantees than the Treaty of Locarno. The pacts of non-aggression which Chancellor Hitler offered to sign with Germany's other neighbours, without the guarantee of any other Power, would render it possible for a war to be localised and would only increase the security of the aggressor.

As regards the return of Germany to the League, this would be welcomed by the Union of Soviet Socialist Republics as soon as it was convinced that the Reich accepted the fundamental principles on which the League was based — in particular, the observance of international treaties and the inviolability of existing frontiers. The Soviet Union desired the maintenance of peace throughout the whole world as much as any other country; but, whilst favourable to international agreement, it was against negotiations proceeding on a basis that would destroy the League. After emphasising the necessity for giving satisfaction to the complaint made by France and Belgium, M. Litvinoff pronounced himself ready to take part in all measures that might be proposed by the Locarno Powers and be acceptable to the other Members of the Council.

M. Edwards, the Chilian representative, said that Germany's withdrawal from the League had thrown the legal system of Locarno out of gear. Chile was not bound by the Treaties of Versailles or Locarno, but she did not forget that any breach of a treaty imperilled the peace of the world and was a matter of concern to the Members of the League. If the violation of Locarno was duly established, his country would fulfil without hesitation its duties as a Member of the Council. The breach of Article 43 of the Treaty of Versailles was not disputed by Germany, but the latter denied that she had violated the Locarno Treaty, asserting that France had first infringed that Treaty by signing the Franco-Soviet Pact. As regards Belgium's position, the Reich added that the Treaty of Locarno, having lapsed, was no longer valid with regard to Belgium. In these circumstances, Chile considered that, before giving a decision, the

Council should ask the Permanent Court of International Justice for an advisory opinion. If the Council did not share that view, he would abstain from voting on the breach of the Treaty of Locarno.

Mr. Eden, the representative of the United Kingdom, said that a patent and incontestable breach of the Treaty of Locarno had been committed. The Council should notify this finding to the Powers signatory of Locarno. But this was far from being the Council's only function. It must preserve peace and establish good understanding amongst the nations of Europe. The question concerned all countries that desired the reign of peace, based on law, amongst nations. The German Government asserted that its aim was peace and the restoration of confidence; but that depended on belief in the sanctity of treaties. For that reason, His Majesty's Government had represented to the German Government that the latter should take such action in the demilitarised zone as would restore confidence. The breach, however, did not carry with it any threat of hostilities nor involve immediate action. Mr. Eden agreed with M. van Zeeland that international life must be reconstructed on the basis of accepted undertakings. The Council's duty was to examine the situation in all its aspects and thus avoid in the future the horrors of war. The United Kingdom Government was prepared to contribute to the necessary work of reconstruction, especially as regards the organisation of security in Western Europe.

M. Grandi, representative of Italy, said that the four signatories, with Germany, of the Locarno Treaty had had to recognise that a breach of Article 43 of the Treaty of Versailles had been committed. Italy was fully conscious of her responsibilities under that Treaty and would remain true to her obligations. But the States which had adopted certain measures in connection with the Italo-Ethiopian dispute could not expect Italy to apply measures which would be incompatible with the position in which she had been placed. A weakening of the political bases of the Treaty of Locarno had resulted from the decisions taken in regard to Italy at Geneva, and the peace of Europe had been placed at the mercy of a colonial dispute. Experience had shown that in Europe there was one single problem of peace and co-operation. Nearly twenty years had passed since the war came to an end; during those twenty

years Italy had given loyal support to the cause of European peace and stability. But all that had been forgotten. She was fully conscious of her task in the establishment of security and reconstruction in Europe, but that reconstruction must be founded on the comprehension of reciprocal needs, on the recognition of and mutual respect for vital needs and on a more unified conception of the rights, the interests and the duties of our civilisation.

M. Beck, representative of Poland said that the entry of German military effectives into the demilitarised zone was a fact which nobody disputed and which the Council must place on record. The Locarno agreements had not been sympathetically received by Poland, for, while they provided special safeguards for the political stability of the Rhine, they might give the impression that the security of Eastern Europe was being left on a more precarious footing. It had, however, been possible to maintain the Franco-Polish alliance by incorporating it in the general system of the 1925 agreements. Further, declarations exchanged between Poland and the Reich in January 1934 had enabled relations bearing the stamp of mutual respect to be established between those two countries.

As regards the Soviet Union, the agreements between Poland and that country expressed Poland's resolve to maintain friendly relations with the Union of Soviet Socialist Republics. M. Beck desired to state in conclusion that he was gratified that the Council had been convened in London in an atmosphere imbued with honesty and with a sense of realities. He concluded by asserting that the interests of any country, whatever its importance, could not form the subject of international negotiation without that country's participation.

M. Barcia, representative of Spain, said that, as regards the facts, there could be no doubt. German forces had entered the area defined in Article 42 of the Versailles Treaty. Even if the Council accepted the German thesis of the incompatibility of the Treaty of Locarno with the Franco-Soviet Pact, the former Treaty was binding on the contracting parties so long as the arbitration procedure provided for settling disputes between them had not been utilised. Spain felt that the lack of confidence in international relations would not be diminished by recourse to the system of *faits accomplis*. The progress of collective security

depended upon that of international co-operation and on the close connection between pacts of security and disarmament. He associated himself with the Franco-Belgian resolution.

M. Ruiz Guiñazú, representative of the Argentine Republic, emphasised that treaties could not be denounced unilaterally, and supported the Franco-Belgian resolution.

M. Munch, representative of Denmark, declared that the idea of asking the Hague Court for an advisory opinion on the dispute seemed to him an interesting one. But the parties appeared not to be favourable to it. He would therefore vote for the Franco-Belgian resolution. He wished, however, to refer to the disquietude, caused by the present trend of international politics, in those countries that did not belong to any political group. However difficult it might appear, a reconciliation among the great nations, on whom the fate of mankind depended, was more necessary than ever.

M. Titulesco, representative of Roumania, said that the requests of France and Belgium were a matter of the utmost concern to the States of the Little Entente. They could not be indifferent to French security, since it formed part of their own security. Moreover, a unilateral repudiation of treaties must lead to international consequences. Otherwise, there would be an end of the League and the world would be governed by the law of force instead of the force of law. The States of the Little Entente agreed that the security plan proposed by the German Government should be discussed after the question raised by France and Belgium had been satisfactorily settled. The action of the Reich had not in anyway affected the validity of the Locarno Treaty, which, on the contrary, had only at that moment come effectively into operation. Provided the French and Belgian request was given a solution recognising the rights of the applicants, an understanding between all the Powers concerned and Germany with a view to the establishment of a lasting peace, one and indivisible in all parts of Europe, would be welcomed by the Little Entente.

M. Monteiro, representative of Portugal, declared that Germany had committed a unilateral breach of Articles 42 and 43 of the Treaty of Versailles and of the Locarno Treaty. Without respect for law and the inviolability of treaties, neither order nor peace was possible. But the Council must do something more

than proclaim the breach ; it must strengthen public confidence in its action. Portugal would co-operate wholeheartedly with those who endeavoured to reconstruct the safeguards of peace.

At the morning meeting on Thursday, March 19th, M. von Ribbentrop, representative of Germany, after expressing the hope that this first resumption of relations between his country and the League might mark a turning-point in the history of Europe, went on to say that, when the Treaty of Locarno was concluded, certain difficulties had arisen from the fact that treaties of alliance already existed between France and Poland and France and Czechoslovakia which did not seem to fit into the framework of the arrangements destined to provide for peace in the West. Locarno imposed on Germany unilateral burdens which were, however, accepted by the National-Socialist Government in the hope that the other parties to Locarno would fulfil their obligations with loyalty. But in 1935 France, and afterwards Czechoslovakia, concluded military alliances with the Union of Soviet Socialist Republics. France and the Union of Soviet Socialist Republics, including their colonial territories, controlled 275 million people. These two countries were making themselves judges in their own cause, in that they would decide for themselves who was the aggressor, and could thus resort to war against Germany at their own discretion. Both legally and politically, such an agreement was not compatible with Locarno. In any dispute that might arise between Germany and a third State, France would have the right to intervene as she thought fit. By thus extending the interpretation hitherto given to the Locarno Pact, France was destroying its original meaning, and the Franco-Soviet alliance was disturbing the equilibrium of Europe. Since he had come into power, the German Chancellor had, on several occasions, held out a hand to France and made the world a number of offers of absolute or partial disarmament. When the French Chamber ratified the Franco-Soviet Pact, the Chancellor drew the only possible consequences : the re-establishment of the Reich's full sovereignty over the whole of German territory. The German Government therefore rejected as unjust the reproach of a unilateral breach of the Locarno Treaty which, in point of fact, by the action taken by the other parties, had ceased to exist. It was true that the French Government had

declared that Germany's duty was to bring the question of the compatibility of the Franco-Soviet Pact with Locarno before an international tribunal. But, besides its purely legal aspects, the problem had others of great political importance, and a solution could not be expected of a purely judicial body. If a great Power like France had the right to enter into military alliances of such vast extent, without considering existing treaties, Germany possessed the right to ensure the protection of her territory by restoring her rights of sovereignty within her own boundaries.

Now that equality of rights had been secured, the German people henceforth desired to co-operate to the best of its ability in building up a real European solidarity, and to put an end to the period of strained relations and of Franco-German wars. In this spirit, the German Chancellor had offered an agreement guaranteeing the peace of Europe for twenty-five years. He was well aware that the Council was not the competent body for dealing with these suggestions, but neither could it ignore them.

M. von Ribbentrop ended by expressing the hope that the Council would appreciate the importance of the historical decision it was called upon to take in order to pave the way for a better future in Europe.

At the meeting held in the afternoon of March 19th, Mr. Bruce, speaking as representative of Australia, said that he would vote for the resolution submitted by France and Belgium. But the Council had a further duty under Article 7 of the Locarno Treaty, which stipulates that that Treaty does not restrict the duty of the League to taking whatever action may be deemed wise and effectual to safeguard the peace of the world. The system which the nations had endeavoured to create since the end of the world war was based on the scrupulous observance of treaties and on the fact that no Power could free itself from the obligations it had undertaken by unilateral action. He was not without hope that a measure of co-operation between all the Powers concerned would be forthcoming, whereby a satisfactory solution could be found. In the light of the experience of the years since the war, it was necessary that the whole system of international co-operation should be reviewed.

The Council then voted by roll-call on the resolution submitted by France and Belgium. All the Members voted for the resolution

except the Chilian representative, who abstained, and Germany, who voted against.<sup>1</sup>

The President declared that the resolution was carried unanimously, the negative vote of one of the guaranteed Powers under the Treaty of Locarno not being counted in determining unanimity.

M. von Ribbentrop then made a formal protest against the Council resolution, referring to his declaration that it was not Germany that had broken the Treaty of Locarno, but France, by concluding a military alliance with the Union of Soviet Socialist Republics. The German Government and nation were convinced that the Council's resolution would not be ratified by history.

M. Flandin, after pointing out that, under international law, no one had the right to take the law into his own hands, again declared that France was ready, if the German Government so desired, to have the dispute which the German representative had raised again, settled by the Permanent Court of International Justice.

While the Council was in session, the representatives of the signatories of the Locarno Treaty other than Germany had been considering the situation in London. On March 19th, the representatives of Belgium, France, United Kingdom and Italy agreed on a number of "proposals" which they submitted to their respective Governments, and which were communicated by the British Government for information to the Council on March 20th.<sup>2</sup>

On March 24th, the Council observing that no definite application requiring immediate action was before it, decided, after thanking the United Kingdom Government for its communication, that action on its part should be suspended for the moment, owing to the conversations that were then taking place. The Council invited the Governments of the Members of the League that were signatories of the Locarno Treaty to keep it informed of the progress of these conversations, and decided to meet again at Geneva as soon as circumstances showed that it was desirable for the matter to be further considered.

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<sup>1</sup> The representative of Ecuador was not present at the meeting.

<sup>2</sup> For the text of these proposals, see *Official Journal*, April 1936 (Part I), page 348.

On April 10th, the representatives of the Powers signatories of the Locarno Treaty of Mutual Guarantee, other than Germany — namely, Belgium, France, United Kingdom and Italy — met in Geneva.

They decided, *inter alia*, to forward to the League for careful study a “peace plan” prepared by the French Government and to ask the Government of the Reich to agree that a memorandum drafted by that Government on March 31st should also be submitted to the Council of the League. It was understood that the representatives of the Locarno signatory Powers would meet again at Geneva at the time of the next ordinary session of the Council (May 1936).

The Council having suspended its work on May 13th, the consideration of the question has been adjourned to the second part of the session to be held at the end of June.

## IX. FREE CITY OF DANZIG.

### 1. GENERAL SITUATION IN THE FREE CITY.

In the introduction to his report for the year 1935,<sup>1</sup> submitted to the Council for information, the High Commissioner states that the year 1935 was in general one of considerable difficulty and serious anxiety in the affairs of the Free City. While relations between Danzig and Poland were on the whole satisfactory, the relationship became somewhat strained for a certain period — between June and August — as a consequence of the decisions taken in connection with the devaluation of the Danzig currency.

The public affairs of Danzig were, however, in the High Commissioner's opinion, much less satisfactory. The year witnessed an intense development of the policy to create a National Socialist community *de facto*. The exhortations of the Council at each of its three sessions and the constant efforts of the High Commissioner did not prevent the application of an anti-constitutional policy in a steadily increasing degree.

After a detailed account of the principal political events of the year in Danzig, the High Commissioner states in his report

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<sup>1</sup> See *Official Journal*, February 1936, pages 202 *et seq.*



that his impression has been that each meeting of the Council during the past year was followed by an intensification of the policy which had been deplored by the Council. He referred to the possible necessity for the Council's taking into consideration the appointment of a committee of investigation, and added that the methods open to the High Commissioner were not working satisfactorily. If the Council at each session was not to be increasingly employed in dealing with Danzig constitutional questions, there must (he thought) be a complete change in the attitude of the local Government, or a change in the machinery through which the League's guarantee is made effective. It would seem, he added, to be required as a preliminary in either case that the present situation in Danzig should be restored to one more in keeping with the principles of the Constitution.

At the Council session in January, the position, as reported by the High Commissioner, was the subject of discussions of particular importance.<sup>1</sup>

Before making particular proposals, the United Kingdom representative, as Rapporteur, thought it right to lay the general situation in the Free City before the Council, stating that he regarded it as exceptionally grave when judged from the point of view of the execution by the League of Nations of the various functions and guarantees entrusted to it.

It should, however, be pointed out that, since the meeting in question, the position has appreciably improved. This is apparent from the report adopted by the Council later in the same session, and from the High Commissioner's letter of May 5th,<sup>2</sup> in which he communicated to the Council the measures taken by the Senate in execution of the Council resolutions of January 24th, 1936. The Council was not therefore called upon at its May session to deal with questions concerning the Senate's observance of the Constitution of the Free City.

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<sup>1</sup> See *Official Journal*, February 1936, pages 121-125.

<sup>2</sup> See document C.215.1936.VII.

2. MEASURES TAKEN BY THE COUNCIL IN EXECUTION OF THE OBLIGATIONS  
OF THE LEAGUE AS GUARANTOR OF THE CONSTITUTION  
OF THE FREE CITY.

*Report of the Committee of Jurists regarding Petitions  
from Various Sections of the Danzig Population  
submitted to the Council at its May Session, 1935.*

On September 23rd, 1935, the High Commissioner of the League of Nations and the President of the Senate of the Free City being present, and the United Kingdom representative acting as Rapporteur, the Council considered the conclusions to be adopted in regard to petitions received from various sections of the Danzig population. The petitions had been studied previously by a Committee of Jurists appointed by the Council to report whether the petitions revealed the existence of violations of the Constitution of the Free City.<sup>1</sup>

The Council found that the jurists reported unquestionable infractions of the Constitution in a number of cases, while in other cases they expressed doubts as to the spirit in which certain of the decree-laws complained of had been applied.

The following legislative enactments were reported by the jurists to involve infractions of the Constitution — the Decree of April 4th, 1934, concerning the wearing of uniforms, the Decree-Law of October 10th, 1933, for the protection of the good name of national associations, the amendment to the last-named subsequently enacted by the Decree of March 6th, 1934, concerning the right to sell and manufacture uniforms or distinctive badges of an association supporting the Government, and, lastly, paragraph 132 of the Criminal Code, concerning associations, where the purpose of such association is the protection of institutions or manifestations of a political organisation.

The Committee of Jurists had also to pronounce with regard to a petition submitted by the publishers of the *Danziger Volksstimme*, which had been prohibited by the authorities for five months and had been confiscated on other occasions. The jurists reached the conclusion that the complaint set out in the petition

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<sup>1</sup> See previous annual report, Part II (document A.6(a).1935), page 17, and *Official Journal*, November 1935, page 1187.

was justified, and that the prohibition of the paper constituted a somewhat serious abuse of power on the part of the Danzig authorities and was an administrative action incompatible with the freedom of the Press as guaranteed by Article 79 of the Constitution.

The Senate, for its part, submitted observations to the Council on the report of the Committee of Jurists. The Rapporteur, however, came to the conclusion that it was his duty to recommend the Council to endorse the jurists' opinions and to express its concurrence in the general considerations put forward by the jurists concerning the spirit in which the Constitution should be applied.

The Rapporteur further reminded the Council of the declaration made by the President of the Senate at the Council meeting of May 25th, 1935, to the effect that, should the Council, in the light of the opinion of the Committee of Jurists, reach the conclusion that the Constitution had been infringed on certain points, the Senate of the Free City would modify its opinion on the basis of the Council's interpretation and would take appropriate measures.

On the Rapporteur's recommendation, the Council accordingly recommended the Senate to take the necessary measures to remedy the situation revealed by the petitions addressed to the Council and by the jurists' report, by bringing the legislation of the Free City into conformity with the Constitution, of which the League of Nations is the guarantor, and by ensuring in future the strict observance of the principles of the Constitution in the application of all laws.

The Council further requested the President of the Senate to submit, through the High Commissioner, at the next session of the Council, a report on the action taken by the Senate in accordance with the Council's recommendation.

*Petition from the German National, Social Democrat and Centre Parties in respect of the Decree-Laws of August 29th, 1935, amending Certain Provisions of the Penal Code in force.*

By a communication of September 7th, 1935, the High Commissioner transmitted the above petition to the Council. The petitioners argued that the two Decrees issued by the

Senate on August 29th, 1935, amending the Penal Code and the Code of Penal Procedure, violated the Constitution. The observations of the Senate on the petition were also placed before the Council by the High Commissioner.

Hitherto, as the Senate stated in its observations, the principle *nulla pœna sine lege* had been applicable at Danzig under Article 2 of the Penal Code. But the Decree amending the Penal Code rendered punishable any person who committed an act "which is deserving of penalty according to the fundamental conceptions of a penal law and healthy national consciousness (*nach gesundem Volksempfinden*)". Details regarding the application of this rule were laid down in a new Article 2 (a). The Decree to amend the penal procedure inserted provisions in the Code of Penal Procedure to permit of prosecution being undertaken in accordance with the new rule.

At its meeting on September 23rd, 1935, the Council agreed with the Rapporteur that it could not admit that the two Decrees were in accordance with the Constitution without obtaining legal advice on this difficult and important question. The Council accordingly decided to request the Permanent Court of International Justice to give an advisory opinion on the question whether the said Decrees were consistent with the Constitution of Danzig or, on the contrary, violated any of the provisions or principles of that Constitution.

In submitting his proposals to the Council,<sup>1</sup> the Rapporteur directed the notice of his colleagues to a number of documents regarding Danzig which had been circulated, at the High Commissioner's request, for the information of the Council. On this subject, he drew attention to one particular point raised in the report of the Committee of Jurists and taken up in the observations of the Danzig Senate on the jurists' report. In discussing the constitutionality of the Law of June 24th, 1933, known as the "Enabling Act", the Committee of Jurists remarked that "the League of Nations raised no objection to the delegation of extraordinary powers to the Senate by ordinary legislative process", and that the League of Nations "regarded the gradual extension of the delegated powers up to and including the 'Enabling Act' of 1933 as a measure consistent with the

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<sup>1</sup> *Official Journal*, November 1935, page 1194.

Constitution and accordingly valid". In its observations on the jurists' report, the Senate seemed to conclude from the above remarks that legal measures, once they had been submitted to the Council, ought to be considered as approved by the latter if no objection were raised to them. In order to avoid any misunderstanding in that matter, the Rapporteur observed that the fact that a measure had been communicated to the Council without being made the subject of discussion or of any remarks by the Council in no way implied the latter's approval of the measure.

The Rapporteur finally observed that, whereas in the past the matters regarding Danzig on which the Council was called to pronounce concerned almost invariably the relations between the Free City and Poland, it had recently been the duty of the Council to examine only matters concerning the internal affairs of the Free City. It was, on the one hand, a matter for congratulation that the external relations of the Free City had so far improved as to render unnecessary recourse to the Council; but, on the other hand, it was regrettable that the Council should have to intervene to protect the rights of one section of the population against encroachment by another section. It would obviously be more satisfactory in every way that such disputes should be settled on the spot. It was only when the High Commissioner saw no hope of achieving a local settlement that he was reluctantly compelled to bring to the notice of the Council matters such as those with which it was now dealing. The recommendations the Rapporteur had made in his report on the various questions referred to should, he thought, be of no little assistance to the Senate in restraining those elements in the Free City who might desire to apply in their entirety political doctrines which were incompatible with the Constitution. They should also help the Danzig Government, without any loss of prestige, to modify its policy so that the Constitution of Danzig, of which the League of Nations was the guarantor, should in future be faithfully observed, not only in the letter, but also in the spirit.

The Polish and French representatives explicitly accepted the conclusions of the report. Speeches were made by the High Commissioner and the President of the Senate, the latter stating that he was prepared to transmit the decisions and proposals

resulting from the opinion given by the Council to the Senate of the Free City for any necessary action. The Council thereupon adopted the conclusions proposed and the resolutions and recommendations embodied in the report.

#### *Other Questions.*

At its meeting on January 22nd, 1936,<sup>1</sup> the Council had before it the report by the President of the Senate of the Free City on the measures taken in accordance with the recommendations of the Council of September 23rd, 1933 ; the advisory opinion of the Permanent Court of International Justice on the Decrees of August 29th, 1935, amending the Penal Code, and two petitions from the German National People's Party, the Social Democrat Party and the Centre Party concerning the General Elections to the Popular Assembly of the Free City on April 7th, 1935.

The United Kingdom representative, Rapporteur, described the situation as exceptionally grave from the standpoint of the relations between Danzig and the League of Nations. The events which had taken place since his report in September 1935 inevitably gave rise to doubts whether the Danzig Government was in fact dealing with this question with goodwill and in good faith.

Disregarding the undertaking given by the President of the Senate on its behalf in the Council in May 1935, the Senate had decided in certain respects not to carry out the recommendations of the Council. Furthermore, that decision had been announced at a meeting of the Popular Assembly of the Free City in a speech by the President, the effect of which could only be to create an atmosphere of hostility and resentment towards the Council. Before making particular proposals on the subject, the Rapporteur thought it right to lay the general situation as he saw it before the Council and to ask for the views of the Council thereon. The representatives of France, Spain, Denmark, Poland,<sup>2</sup> the Union of Soviet Socialist Republics, Turkey and Portugal and the President of the Council emphasised the importance of

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<sup>1</sup> *Official Journal*, February 1936, pages 80 *et seq.*

<sup>2</sup> The Polish representative in particular expressed the wish that the Senate would show the same goodwill in its relations with the League of Nations as it was displaying in its relations with the Polish Government.

ensuring respect for all the rights guaranteed by the League of Nations, while at the same time expressing their anxiety to support the Rapporteur in his efforts to find a solution.

The High Commissioner, for his part, said he had been inspired only by a desire to settle in Danzig such problems as inevitably arose there, with at the same time full recognition of the difficulties and privileges of the Government, but without failing to carry out the instructions governing his mission. If conflict had arisen at the present time, it was due to the attitude of the Government towards formal decisions of the Council:

The President of the Senate of the Free City said, on behalf of his Government, that the latter had never had, and had not, the least intention of attacking the Free City's Statute as conceived by the League of Nations and established by treaty. The matter, he said, was not one of lack of goodwill in regard to the Council's recommendations, but merely of a difference of opinion on the part of the jurists — of those, on the one hand, whom the League of Nations had asked for an opinion and, on the other hand, of those acting for the Free City of Danzig. Two only of the recommendations had so far not been given effect, and that not because there was any lack of goodwill, but because the recommendations were of no intrinsic importance and had no great political significance: their non-application was also due to reasons based upon a legal concept which was absolutely sound.

In conclusion, the Rapporteur undertook to do his utmost to present a report which took account of the speeches delivered by the members of the Council, conscious as he was that he had the support of all his colleagues, and confident that he would secure the full co-operation of the President of the Senate of the Free City of Danzig.

*Decisions taken by the Council on January 24th, 1936.*

On January 24th, 1936, the Council, in the presence of the High Commissioner and of the President of the Senate of the Free City, took note of the United Kingdom representative's report on the various questions before the Council. <sup>1</sup>

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<sup>1</sup> *Official Journal*, February 1936, pages 121 *et seq.*

On the subject of the action taken by the Senate in accordance with the Council's recommendations, the Rapporteur reported that, as regards the most important legislative provision concerning which the Council had raised serious objections — namely, the provision contained in the Decree-Law of October 10th, 1933, establishing more extensive legal protection of the good name of associations recognised by the Senate — the President of the Senate stated in his report that the Danzig Government had been unable to take the responsibility of abolishing these provisions. It had also been unable to carry out the recommendations relating to Herr Luck and Herr Schmode and to other complainants in a similar situation. The Rapporteur could, however, add that he had just been informed by the President of the Senate that the Senate had reconsidered its attitude, and that measures had already been taken to comply fully with the recommendations of the Council in respect of both these questions.

On the subject of the Decrees amending the Penal Code, the Rapporteur noted that the Permanent Court of International Justice had given an opinion on December 4th, 1935, that "the two Decrees of August 29th, 1935, are not consistent with the Constitution of the Free City of Danzig and that they violate certain provisions and certain principles thereof". In the circumstances, he recommended the Council to accept the Court's opinion. He added that the President of the Senate had just informed him that measures were being taken to comply with this opinion by making the necessary amendments in the two Decree-Laws in question.

In his annual report for 1935,<sup>1</sup> the High Commissioner referred to the Senate's interference with the freedom of the Press and observed that, although the Council clearly stated in January 1934 that it considered the freedom of the Press to be one of the most important and essential principles of the Constitution, the Senate had since then frequently had recourse to the prolonged suspension of Opposition organs. The Rapporteur suggested to the Council, as a possible means of improving the situation,

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<sup>1</sup> See *Official Journal*, February 1936, page 203.



that the law in the Free City should be so amended as to allow appeals, in the case of administrative action against the Press, to a Court of Law, with a provision that the latter should pronounce judgment within a specified period. He was able to inform the Council that he had received formal assurances from the President of the Senate that the latter would introduce the necessary legislation to this end.

On the subject of the petitions from the Opposition parties formally asking for the elections to the Popular Assembly of the Free City to be declared invalid and unconstitutional, the Rapporteur suggested that any examination of the substance of the petitions should be suspended. The Danzig Supreme Court had deliberated on this question and had issued a considered judgment on it, which merited thorough study.

The Rapporteur further proposed that the Council should reserve for consideration on a later occasion the High Commissioner's suggestion relative to the appointment of a commission of investigation.

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The Rapporteur then submitted a resolution<sup>1</sup> calling upon the Senate of the Free City to take all measures required in order to govern in conformity with the spirit of the Constitution.

By the same resolution, the Council noted with satisfaction that the Senate was now taking the necessary measures to revoke the Decree of October 10th, 1933, regarding the maintenance of the good name of national associations.

It adopted the opinion of the Permanent Court of International Justice dated December 4th, 1935, to the effect that the two Decrees of August 29th, 1935, amending the Penal Code and the Code of Penal Procedure of Danzig were not consistent with the Constitution of the Free City.

It further noted with satisfaction that the Senate was taking measures to conform to the said opinion by making the necessary amendments in the two decree-laws in question.

The Rapporteur added that the Council could with confidence leave to its High Commissioner the task of advising and aiding the Danzig Government in the execution of the measures referred to in the resolution. In carrying out this task, the High

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<sup>1</sup> See *Official Journal*, February 1936, page 124.

Commissioner would, he was sure, be able to count on the support and influence of all the Powers represented on the Council. The Council might count more particularly on the assistance of Poland, which had special interests in the Free City.

He added that the President of the Senate had just informed him that the Senate was anticipating the wishes of the Council in regard to the Decree-Laws of August 29th, 1935, which had been found by the Permanent Court of International Justice to be unconstitutional, by taking the necessary measures to amend them. He thanked the President of the Senate for the spirit of co-operation which the latter had shown. He trusted that the present occasion marked the beginning of a new era in the relations between Danzig and the League.

The resolution was adopted.

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At its session in May 1936, the Council had before it for information a letter from the High Commissioner in Danzig, dated May 5th, 1936,<sup>1</sup> regarding the measures adopted by the Senate of the Free City in consequence of the Council's resolutions of January 24th, 1936. The High Commissioner enclosed with his letter a copy of a letter from the Senate dated February 21st, to which were attached copies of the following decrees :

1. Decree amending the Decree-Law of June 30th, 1933, concerning publications, and establishing by paragraph 6 a Press Court for the purpose of hearing appeals against decisions by the administrative authorities.

2. Decree abrogating the Law of October 10th, 1933, concerning the protection of the good name of national associations.

3. Decree amending the Decree-Law of April 4th, 1934, regarding the wearing of uniforms.

4. Decree amending two Decrees of August 29th, 1935, concerning the provisions of the Penal Code and the Code of Penal Procedure, which were the subject of an advisory opinion by the Permanent Court of International Justice at The Hague.

As regards the first paragraph of the resolution of the Council of January 24th, 1936, in which the latter called upon the Senate to take all measures required in order to govern in conformity

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<sup>1</sup> Document C.215.1936.VII.

with the spirit of the Constitution, the High Commissioner observed that "the fulfilment" of this paragraph "covers an extremely wide field". It would be recalled that "the Council left to the High Commissioner the task of aiding and advising the Government in the execution of the measures referred to in its resolution". The continuance and development of the spirit of co-operation between the Government and the High Commissioner would, the latter added, no doubt make it possible "to report at an appropriate time a much more satisfactory general situation than that considered by the Council in January last".

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At its meeting on May 13th, 1936, the Council adopted a resolution appointing Mr. Sean Lester High Commissioner of the League of Nations in Danzig for a further period of one year from January 15th, 1937, subject to the same conditions as were laid down in the Council resolution of October 26th, 1933.<sup>1</sup>

#### X. SAAR TERRITORY.

On March 31st, 1936, the Supreme Plebiscite Court of the Saar<sup>2</sup> ceased to exist.

A report by the President of the Court, M. Bindo Galli, on the activities of the Court for the period between March 1st, 1935 (when the government of the territory was transferred back to Germany), and March 31st, 1936, has been communicated to the Members of the League.<sup>3</sup>

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<sup>1</sup> See *Official Journal*, June 1936, page 543.

<sup>2</sup> See previous annual report (document A.6.1935, page 57).

<sup>3</sup> See document C.194.M.123.1936.VII, dated April 29th, 1936, and *Official Journal*, May 1936, page 507.

2.

REDUCTION AND LIMITATION OF ARMAMENTS.

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I. CONFERENCE FOR THE REDUCTION AND LIMITATION  
OF ARMAMENTS.

Neither the General Commission nor the Bureau of the Conference for the Reduction and Limitation of Armaments has met since the last session of the Assembly. The last meeting of the Bureau was held on November 20th, 1934. None of the Committees has met since April 1935.<sup>1</sup>

*Death of the Right Honourable Arthur Henderson and Questions raised by This Event.*

On October 20th, 1935, occurred the death of the Right Honourable Arthur Henderson, President of the Conference for the Reduction and Limitation of Armaments. At the meeting of the Council held on January 20th, 1936, the President of the Council, the Right Honourable S. M. Bruce (Australia), recalled the international activities of Mr. Henderson, and particularly his work at Geneva. Mr. Bruce paid a high tribute to Mr. Henderson's work as President of the Conference, to which, over a period of four years, he had devoted in full measure his time and energy. Mr. Bruce added :

“ . . . . Although the difficulties encountered by the Conference, and his persistent and unwearying efforts to overcome them, contributed largely towards the aggravation of his state of health, Mr. Henderson never faltered in fulfilling his difficult task to the end.

“ Whatever their views on the many controversial aspects of disarmament, every delegation to the Conference valued his great qualities as a President and as a man. They appreciated

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<sup>1</sup> See document A.6.1935, pages 7-15.

his unfailing courage, even at the most difficult moments; they were impressed by his grasp of ideals and realities; and his impartiality and his kindness of heart made a deep impression on everyone who came into contact with him.”

The representatives of the United Kingdom, France, the Union of Soviet Socialist Republics, Spain, Poland, Portugal and Turkey associated themselves with the tribute paid to Mr. Henderson. The Council requested the Secretary-General to convey its expressions of sympathy to Mr. Henderson's family and to mention the tribute just paid to his memory.

On January 22nd, 1936, the representative of the Argentine Republic (Rapporteur for questions concerning the reduction and limitation of armaments) reminded the Council that Mr. Henderson's death left the Conference without a head and raised the question of procedure. In November 1935, a preliminary report on the work of the Conference<sup>1</sup> was circulated to Governments in accordance with instructions given by Mr. Henderson before his death.

After referring to this report, the Rapporteur continued :

“ . . . My colleagues are familiar with the unfavourable political conditions which have caused a suspension in the work of the Conference, and they will no doubt agree with me that circumstances are still unpropitious for the resumption of its work.

“ I would therefore suggest for the consideration of the Council that no steps need be taken to choose a successor to Mr. Henderson until the resumption of the work of the Conference becomes possible.

“ I feel that the two questions — that of the election of a new President and that of the effective resumption of the Conference — had best be linked together. As soon, therefore, as a proposal for the convening of the Conference is made, either by the Rapporteur or by any Member or Members, the Council can empower the Secretary-General to consult the Bureau of the Conference on the question of summoning the Conference. The latter would then begin by electing a President and proceed to consider the general situation.

“ The series of political events that have taken place since the General Commission's last meeting will perhaps suggest to the

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<sup>1</sup> Document Conf.D.171.

Conference a procedure and programme of work influenced by the changes that have taken place in the general situation.

“ Finally, I should like to remind the Members of the Council that the Naval Conference summoned by the United Kingdom Government under Article 23 of the Washington and London Naval Treaties is now in session and that, in response to that Government’s invitation, the Secretary-General has sent a representative to the Conference as an observer.”

The conclusions of the report were adopted by the Council.

## II. LONDON NAVAL CONFERENCE AND THE RESULTANT NAVAL TREATY, SIGNED ON MARCH 25TH, 1936.

As mentioned above, the Government of the United Kingdom, as convener of the Naval Conference held in London from December 9th, 1935, to March 25th, 1936, invited the League of Nations to be represented by an observer at the Conference.

The Director of the Disarmament Section of the Secretariat, accompanied by the Naval Expert of the Section, represented the Secretary-General on this occasion.<sup>1</sup>

The Treaty signed in London on March 25th, 1936, at the conclusion of this Conference, together with its Protocol of Signature and Additional Protocol, was, at the request of the United Kingdom Government, circulated<sup>2</sup> on April 22nd, 1936, by the Secretary-General to all States represented at the Conference for the Reduction and Limitation of Armaments and to the Members of the League non-signatory of the Treaty.

In a further communication<sup>3</sup> on May 6th, 1936, the Secretary-General, on the suggestion of the President of the London Naval Conference, invited the Governments of States Members of the League non-signatories of the Treaty to communicate to the United Kingdom Government any observations they might wish to offer, either through his agency or direct, on its text, and added that the United Kingdom Government would be glad to furnish any explanations in its power to give in regard to the text.

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<sup>1</sup> See documents C.445(1).M.233(1).1935.IX and Conf.D.170(1).

<sup>2</sup> See document Conf.D.173.

<sup>3</sup> See C.L.74.1936.

He requested that, in the case of direct communication with the United Kingdom Government, he should be kept informed of developments, so that the other Governments represented at the Conference for the Reduction and Limitation of Armaments might be duly notified.

### III. PUBLICATIONS EDITED BY THE SECRETARIAT.

The twelfth edition of the *Armaments Year-Book*<sup>1</sup> will be published in September 1936. It will contain monographs on sixty-four countries and will be prepared on the basis of official publications (official military bulletins, laws, decrees, budgets, statistical year-books) and of information supplied by the Governments concerning the position of their armaments.

The eleventh edition of the *Statistical Year-Book of the Trade in Arms and Ammunition* was published in October 1935. The twelfth edition will appear in October 1936. It will contain information in regard to sixty-one countries and sixty-one colonies, protectorates and mandated territories, compiled from official publications.

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<sup>1</sup> Document C.186.M.119.1936.IX.

3.

PROTECTION OF MINORITIES.

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I. APPLICATION OF THE GERMAN-POLISH CONVENTION OF MAY 15TH, 1922, RELATING TO UPPER SILESIA.

*Petition of M. Philipp Ozimek.*

At its meeting of January 23rd, 1936,<sup>1</sup> the Council examined the question raised in the petition of M. Philipp Ozimek, laid before it under Article 147 of the German-Polish Convention relative to Upper Silesia.

This petition contained in substance the following allegations :

The *Spółka Bracka* (Upper Silesian Mine-workers' Union), by which M. Ozimek was employed, having offered its officials new contracts, the petitioner found himself in a wage category below that which he considered appropriate to his rank and duties. He maintained that the new contract, which he had only been induced to sign by unlawful threats, was not legally valid, and that such treatment constituted discrimination against him as a member of the minority.

M. Ozimek had previously submitted his case direct to the President of the Mixed Committee for Upper Silesia, in accordance with Articles 149 *et seq.* of the Convention of May 15th, 1922. The President, however, took the view that the case turned upon a contract at private law, over which the Polish courts alone had jurisdiction.

The same opinion was also expressed in the Polish Government's observations on the petition in question and was further

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<sup>1</sup> See *Official Journal*, February 1936, page 114.



corroborated by various facts which the Polish delegation laid before the Rapporteur.

The latter therefore concluded his report to the Council as follows :

“ The Council will, I think, agree that the questions raised by the petitioner relate solely to the validity and scope of a contract at common law concluded between the Spolka Bracka and the petitioner, and that the Council is therefore not called upon to take a decision on these questions under Article 147 of the Convention relating to Upper Silesia, as the facts adduced by the petitioner are not relevant to any article in Part III of the Convention.”

The Council approved the Rapporteur's conclusions.

## II. PROTECTION OF MINORITIES IN ALBANIA.

### *Application of Article 5, Paragraph 2, of the Albanian Declaration of October 2nd, 1921.*

Since November 1934,<sup>1</sup> the Council's agenda had included the question whether it was to tender the advice referred to in Article 5, paragraph 2, of the Albanian Declaration of October 2nd, 1921.<sup>2</sup>

At the meeting on May 23rd, 1935, the representative of Spain, in his capacity of Rapporteur, informed the Council that the Albanian representative had formally notified him that his Government had decided to introduce school regulations appropriate to the position brought about through the opinion delivered

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<sup>1</sup> In order to understand the complex question dealt with in the present section, reference should be made to the last annual report (document A.6.1935, page 63), which deals with the previous phase (1934-35) of the question as reflected in the proceedings of the Council.

<sup>2</sup> Article 5 reads as follows :

“ Albanian nationals who belong to racial, religious or linguistic minorities will enjoy the same treatment and security in law and in fact as other Albanian nationals. In particular, they shall have an equal right to maintain, manage and control at their own expense, or to establish in the future, 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.

“ Within six months from the date of the present Declaration, detailed information will be presented to the Council of the League of Nations with regard to the equal status of the religious communities, churches, convents, schools, voluntary establishments and associations of racial, religious and linguistic minorities. The Albanian Government will take into consideration any advice it might receive from the League of Nations with regard to this question.”

by the Permanent Court of International Justice on April 6th, 1935.<sup>1</sup> On the proposal of its Rapporteur, the Council thereupon decided to postpone further consideration of this question until its next ordinary session, by which time the Albanian Government would have been able to supply it with particulars of the new regulations.

On September 23rd, 1935, the Council took note of a set of draft regulations which the Albanian Government had adopted in the belief that they represented a fair settlement of the question of private schools of linguistic minorities.<sup>2</sup> The Council agreed with its Rapporteur that, subject to a few changes, indicated in the report,<sup>3</sup> the draft regulations could indeed be regarded as a reasonable settlement in accordance with the Albanian Declaration, as interpreted by the Court.

At its meeting on January 23rd, 1936, the Council had before it the new text of the regulations communicated by the Albanian Government on December 12th, 1935.<sup>4</sup> In accordance with the conclusions submitted in his report by the Spanish representative,<sup>5</sup> it expressed the view that the new text — in which, at the Rapporteur's request, a last change had just been made by the Albanian Government — was in entire conformity with the proposals set out in the previous report. At the same time, the Council expressed its appreciation of the accommodating spirit in which the Albanian Government had dealt with this aspect of the question.

With regard to the confessional schools, on the other hand, the Council agreed with its Rapporteur that the draft regulations could not be regarded as providing a satisfactory solution. At its meetings on September 23rd, 1935, and January 23rd, 1936, it therefore instructed its Rapporteur to remain in close touch with the Albanian Government and to keep the Council informed of all subsequent developments.

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<sup>1</sup> The Albanian Government had contended that the abolition of private schools, upon which it had decided in 1933, was in keeping with the letter and the spirit of Article 5, paragraph 1, of the Declaration of October 2nd, 1921, as this was a general measure applicable to the majority as well as to the minority. The Court expressed the opinion that such a view was untenable.

<sup>2</sup> See *Official Journal*, November 1935, Annex 1564, page 1290.

<sup>3</sup> See *Official Journal*, November 1935, page 1186.

<sup>4</sup> See *Official Journal*, February 1936, Annex 1589, pages 263-265.

<sup>5</sup> See *Official Journal*, February 1936, page 115.

In a report submitted to the Council at its meeting on May 13th, 1936,<sup>1</sup> the Rapporteur set out his conclusions with regard to the Albanian Government's new decree-law on school organisation.<sup>2</sup> The purpose of this decree-law was to recognise and regulate the right of physical and juridical persons, including communities — as stated in the Albanian Government's letter of May 6th, 1936<sup>3</sup> — to open and maintain schools and other private educational establishments. The Rapporteur was of opinion that the provisions of this enactment adequately carried out the stipulations of Article 5, paragraph 1, of the Albanian Declaration on schools and other educational establishments.

The Rapporteur also informed the Council of the particulars which he had obtained from the Albanian Foreign Minister regarding the correct interpretation of certain provisions of the decree-law, and more particularly Article 9 regarding the compulsory use of the Albanian language in schools either exclusively or for the teaching of certain subjects.

The Council thereupon endorsed its Rapporteur's conclusions and at the same meeting formally closed its examination of this problem after warmly thanking the Albanian Government for its ready and effective co-operation.

### III. EXAMINATION OF PETITIONS BY MINORITIES COMMITTEES.

In the course of the period under consideration, minority committees have met during, and sometimes between, the sessions of the Council. Whenever the examination of a petition has been closed without the members of the committee concerned requesting that the question be placed upon the Council's agenda, the other Members of the Council have been informed by letter of what such examination had revealed. In several cases, the letter informing the Members of the Council of the outcome of the examination has, with the consent of the Government concerned, been published in the *Official Journal*, in accordance with the Council's resolution of June 13th, 1929.

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<sup>1</sup> See *Official Journal*, June 1936, page 560.

<sup>2</sup> See *Official Journal*, June 1936, Annex 1604, page 742.

<sup>3</sup> See *Official Journal*, June 1936, Annex 1604, page 741.

In accordance with the same resolution, statistics are also published in the *Official Journal*<sup>1</sup> indicating the number of petitions received by the League Secretariat during the year, the number of petitions declared to be non-receivable, the number of petitions declared to be receivable and referred to committees of three members, the number of committees which have examined petitions, together with the number of meetings they held, and the number of petitions the examination of which the Committees of Three have completed in the course of the year

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<sup>1</sup> The statistics for the year 1935-36 will appear in the August number of the *Official Journal*.

4.

MANDATES.

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I. DECISIONS OF THE COUNCIL CONCERNING THE WORK OF THE PERMANENT MANDATES COMMISSION AT ITS TWENTY-SEVENTH SESSION.

On September 6th, 1935, the Council examined the documents concerning the work of the twenty-seventh session of the Permanent Mandates Commission (June 3rd-18th, 1935), and a report by the representative of Czechoslovakia on this subject.

A. *Special Questions.*

*Economic Equality : Commercial Agreement concluded between France and the United Kingdom on June 27th, 1934 (Article 2).*

In its report to the Council, the Permanent Mandates Commission pointed out that, if the provisions of Article 2 of this Agreement were to be interpreted literally, the two signatory Powers would be mutually recognising their right to establish a preferential system for the benefit of their export trade, in their relations with the territories placed under their respective mandates. For these reasons, and in accordance with the Commission's recommendation, the Council decided to request the Governments of France and of the United Kingdom to furnish such assurances as would safeguard Article 2 of this Agreement from any interpretation incompatible with the principle of commercial equality which governs the status of the territories placed under their A and B mandates.

The representative of the United Kingdom explained to the Council that the effect of Article 2 of the Agreement was merely to preclude France from claiming privileges given by the United Kingdom to United Kingdom mandated territories and the United Kingdom from claiming preferences given by France to French

mandated territories. The French representative associated himself with this statement.<sup>1</sup>

*Frontier between Ruanda-Urundi and Tanganyika Territory.*

The Council accepted the views of the Commission and approved the Anglo-Belgian Treaty of November 22nd, 1934, concerning the delimitation of the frontier between Ruanda-Urundi and Tanganyika.<sup>2</sup>

*B. Observations on the Administration of Certain Territories under Mandate.*

The Council decided to communicate in each case to the Government of the mandatory Power concerned the Commission's observations on the administration of the territories for which it had examined the annual reports (Palestine and Trans-Jordan, 1934; Syria and Lebanon, 1934; Tanganyika, 1934; South West Africa, 1934; New Guinea, 1933-1934; Nauru, 1934) and to request them to take the action asked for by the Commission.

*C. Petitions.*

The Council approved the Commission's conclusions concerning the ninety-nine petitions examined by it and decided to bring these conclusions to the knowledge of the mandatory Power and the petitioners concerned.

**II. WORK OF THE PERMANENT MANDATES COMMISSION AT ITS TWENTY-EIGHTH SESSION (OCTOBER-NOVEMBER 1935) AND DECISIONS TAKEN BY THE COUNCIL ON JANUARY 22ND, 1936.**

*A. Special Questions.*

*Economic Equality : Commercial Agreement concluded between France and the United Kingdom on June 27th, 1934 (Article 2).*

The Commission, and subsequently the Council, noted that the statements made by the representatives of the United Kingdom and France safeguarded Article 2(a) of this Agreement from any interpretation incompatible with the principle of

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<sup>1</sup> See *Official Journal*, November 1935, page 1148.

<sup>2</sup> See previous annual report (document A.6.1935, pages 66-67).

commercial equality which governs the status of the territories placed under their A and B mandates.<sup>1</sup>

*Japan and Economic Equality.*

The Commission heard a statement by the accredited representative of the Japanese Government on the subject of economic equality in mandated territories. The Commission expressed the opinion that, in view of the nature and scope of this statement, it should not discuss it without being requested to do so by the Council. The latter in turn noted the statement and reserved the right, if necessary, to study the views set out therein.

*B. Observations on the Administration of Certain Territories under Mandate.*

In its report to the Council, the Commission submitted a number of observations concerning the administration of the territories it examined at its twenty-eighth session (Cameroons and Togoland under British mandate, 1934 ; Cameroons and Togoland under French mandate, 1934 ; Ruanda-Urundi, 1934 ; Islands under Japanese mandate, 1934 ; Western Samoa, 1934-1935). On January 22nd, 1936, the Council decided to communicate these observations in each case to the Government of the mandatory Power concerned and to request it to take the action asked for by the Commission.

**Territories under B Mandate.**

*Cameroon's under British Mandate.*

The Commission noted the statement in the annual report, confirmed by the accredited representative, to the effect that lack of the necessary staff had hitherto prevented the demarcation of the frontier between the Cameroons under British mandate and the Cameroons under French mandate. It once again drew attention to the fact that the delimitation of the frontier was provided for in Article 1 of the mandate, as also in the Franco-British declaration annexed thereto.

Furthermore, the Commission asked whether, and if so in what sense, the mandatory Power was considering the application

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<sup>1</sup> See above, page 103.

of the principle of economic equality to the two States which, during the year 1935, had ceased to be Members of the League of Nations.

The Commission also observed that the territory contributed to the upkeep of a military unit stationed in the colony of Nigeria, entailing expenditure amounting to almost a tenth of the total budget. It asked whether, and how far, in the opinion of the mandatory Power, this expenditure could be justified as being in the direct interest of the territory.

Finally, the Commission noted that, in the mandatory Power's own opinion, the territory's medical services were still inadequate. These services were subordinate to the medical organisation in Nigeria. The Commission expressed the hope that this dependence would not interfere with the future development of the medical services in the territory under mandate.

#### *Togoland under British Mandate.*

Referring to the fact that there was a Customs union between the mandated territory and the Gold Coast Colony, the Commission asked in what way the mandatory Power safeguarded the principle of economic equality in its practical application.

In the light of the information given in the report, it examined the system of allocation of Customs revenue between the territory and the Gold Coast, and asked for fuller and clearer explanations in regard to the system adopted and the manner in which it operated.

The Commission asked to be informed of the origin and destination of imports into and exports from the territory. It suggested that, notwithstanding the difficulties to which its attention had been drawn, there might be a possibility of establishing a statistical check on trade between the colony and the territory which would provide the desired information.

The Commission also noted the progress made in education and the accredited representative's statement to the effect that the Administration contemplated opening a Government school in the northern section of the territory.

Finally, it expressed the hope that the medical services would be developed, particularly in the northern section of the territory, and that more detailed information would be given on infant mortality.



*Cameroons and Togoland under French Mandate (Observations common to both Territories).*

The Commission was informed that the French Government had rescinded, as regards the Cameroons and Togoland, the decree rendering applicable to those territories the provisions of the Law of May 16th, 1930, reserving for French aircraft the commercial transport of persons and goods between any two localities in French territory and between France and her colonies. The Commission expressed its appreciation of the readiness displayed by the mandatory Power to amend a text the application of which appeared, upon examination, to be liable to infringe the principle of economic equality.

The Commission, moreover, noted that the mandatory Power was considering under what conditions the imports of the two States which, during the year 1935, had ceased to be Members of the League of Nations might be admitted into the territories. It added that it would be interested to learn the conclusions arrived at.

While recognising the efforts made to render the information relating to public finance more easily understandable by readers of the report, the Commission expressed the opinion that this information was still not as clear as it might be. It asked for statistical and financial data and tables which would enable it to follow more closely the financial development of the territories.

*Cameroons under French Mandate.*

The Commission noted the statement by the accredited representative to the effect that the mandatory Power was ready to proceed to the delimitation of the western frontier of the territory. It observed that this delimitation was provided for by Article 1 of the mandate and by Article 2 of the Franco-British declaration annexed thereto.

The Commission expressed the hope that the next annual report would contain a brief account of the organisation and operation of the reserve fund of the territory.

Moreover, it noted with interest that the Decree of 1932 concerning the registration of immovable property had come into force, and it asked for some reassurance as to the

consequences of this measure, having regard to the application of Article 5, paragraph 2, of the mandate (which refers to the control exercised by the public authorities over the transfer of immovable property from natives to non-natives).

#### *Togoland under French Mandate.*

The Commission was informed of the various measures taken in 1935 to cover the budgetary deficit of the territory under mandate. As it had announced in the previous year, the mandatory Power had provisionally left unfilled the highest administrative posts in Togoland, and the direction of the services in question had been entrusted to high officials of the neighbouring colony of Dahomey. Further, the number of administrative areas was reduced from six to three and other considerable budgetary reductions were effected.

The Commission again noted the statements made by the mandatory Power to the effect that the measures taken in no way affected the individuality of the territory under mandate. With regard to the practical results of this reform, the Commission reserved its judgment until it had examined later reports.

#### *Ruanda-Urundi.*

The Commission examined the text of the Ordinance of the Governor-General of the Belgian Congo, dated January 27th, 1934, concerning air navigation, which had been made applicable to the territory under mandate. It felt doubtful as to whether certain provisions of that ordinance — in particular Articles 1 and 145 — were compatible with the clause in the mandate relating to economic equality, and hoped to receive assurances on this point.

The attention of the Commission was again directed to the financial situation and, in particular, to the increase in the public debt of the territory. It noted the accredited representative's statement to the effect that the constant development of the mining industry justified the assumption that the financial situation of the territory would improve in the near future. The Commission expressed the hope that this might soon prove to be the case.

The Commission considered the question of education in the official schools of Astrida. It asked for information that

would enable it to judge of the extent to which the fact of granting to a given religious order a monopoly of teaching in the official institution — in which, in particular, future chiefs, sub-chiefs and native administrative staff were trained — was compatible with the spirit of the mandate.

**Territories under C Mandate.**

*Islands under Japanese Mandate.*

The Commission noted the information contained in the annual report concerning the trade balance of the territory. It welcomed the statement by the accredited representative to the effect that it was intended that natives should benefit to an increasing extent from the favourable economic situation, and it asked for information on this subject in future annual reports.

It also asked for more detailed information concerning the consumption of alcohol in the territory and regarding measures to reduce consumption by natives.

It noted the information contained in the annual report and formally confirmed by the accredited representative of the mandatory Power to the effect that, since 1922, no military or naval forces had been stationed in the territory and no fortifications or military or naval bases had been established or maintained.

Finally, the Commission observed with concern that the native population of the territory appeared to be stationary, and even in some islands to be decreasing. It expressed the hope that the efforts of the Administration to check the depopulation of the territory might prove successful in the near future.

In his report to the Council, the Rapporteur, the representative of Roumania, noted, in connection with the Commission's discussions, that Japan — who ceased to be a Member of the League of Nations on March 27th, 1935 — rightly considered that she was still subject to the obligations of the mandate exercised by her on behalf of the League, in accordance with the principles laid down in Article 22 of the Covenant.

*Western Samoa.*

The Commission noted the statements made in the annual report and by the accredited representative to the effect that

there had been an improvement in the political situation in the territory and that there was evidence of increasing co-operation on the part of the natives with the Administration. It also noted from the statement of the accredited representative that it was the intention of the mandatory Power to give the natives an increasing share in the Administration.

In the domain of public finance, the Commission asked for fuller and clearer explanations concerning the levying and partial refund of export duties.

It also asked whether Chinese labourers who became unemployed otherwise than through their own action received unemployment relief.

Finally, it expressed a desire for information concerning the training of native teachers and the inspection of schools.

### C. Petitions.

The Commission examined thirty-five petitions concerning Palestine, Syria and Lebanon, Tanganyika, South West Africa and the Islands under Japanese Mandate. None of these petitions formed the subject of a special recommendation to the Council.

The Commission's conclusions concerning the petitions were approved by the Council, which decided that they should be communicated to the mandatory Powers and to the petitioners concerned.<sup>1</sup>

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<sup>1</sup> *Principal reference documents* : Minutes of the Eighty-eighth Session of the Council, Third Meeting (September 6th, 1935), in the *Official Journal*, November 1935, pages 1145 to 1149 ; Report of the Permanent Mandates Commission to the Council on the Work of its Twenty-eighth Session, *Official Journal*, February 1936, page 166 ; Minutes of the Ninetieth Session of the Council, Third Meeting (January 22nd, 1936), in the *Official Journal*, February 1936, pages 78 to 80.

5.

SLAVERY.

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The Advisory Committee of Experts on Slavery held an extraordinary session <sup>1</sup> at Geneva from April 15th to 24th, 1936, when it examined material sent in by the Governments of Belgium, the United Kingdom, China, Egypt, France, Honduras, India, Iraq, Italy, the Netherlands, Portugal, the Sudan, and Venezuela, and various studies and memoranda prepared by its members. It also had before it communications from the Italian Government relating to Ethiopia, which were transmitted to the Council in accordance with Article 16, paragraph 2, of its Rules of Procedure.

Suggestions made in the Council and Assembly led the Committee to consider the question of a possible extension of its mandate. For various reasons, but chiefly because the session was an extraordinary one, it was thought better, for the moment, not to express any opinion on the subject.

As the Committee has been careful to explain, the structure of its general report differs from that of previous reports on slavery. It deals, in the light of the information supplied by Governments and the special knowledge of members of the Committee, with the position in regard to ratifications of and accessions to the Convention of 1926, slave-raids, the slave trade and captured slaves, born slaves, and, lastly, other institutions (debt slavery, pawning and peonage, the Mui-Tsai system, the quasi-adoption of children, and serfdom).

In each of these chapters, the Committee described in detail the position in the various countries and territories dealt with, drawing general and specific conclusions.

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<sup>1</sup> See previous annual report (document A.6.1935), page 71.

It again urged that the Slavery Convention of September 25th, 1926, should be ratified without further delay by those States which, having signed or acceded to it subject to ratification, have not yet ratified; and it expressed the hope that such States as have been invited to accede and are not yet parties to the Convention would consider acceding.

It desired that Governments should continue to supply information as full and as accurate as possible, in accordance with Article 7 of the 1926 Convention and the various resolutions of the Assembly.

It particularly called the Council's attention to the suggestions in its report for obtaining further light on points arising out of the examination of the documents supplied by Governments.

Lastly, it suggested that the Council should bring to the notice of the Governments concerned, for any action they might think fit to take, the resolutions and recommendations, both general and specific, embodied in its report.<sup>1</sup>

On May 13th, 1936 — after a discussion between the United Kingdom representative, who acted as Rapporteur, and the Spanish and Portuguese representatives — the Council decided, in accordance with Article 15 of the Committee's Rules of Procedure,<sup>2</sup> to authorise publication in full of the Committee's report and its annexes, and to consider it in public at a forthcoming meeting. In taking this decision, it made all necessary reservations as to the parts of the report and documents to which Article 16, paragraph 2, of the Committee's Rules<sup>3</sup> applies, and expressed no opinion upon them.

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<sup>1</sup> See document C.189(1).M.145.1936.VI.

<sup>2</sup> Under this article, "the reports and Minutes of the Committee shall be confidential. The question of the full or partial publication of the Committee's report is a matter for the decision of the Council of the League of Nations. The same applies as regards the publication of the documents examined by the Committee."

<sup>3</sup> This paragraph reads as follows: "If a communication relating to slavery and concerning any country is submitted by the Government of another State, the Committee shall forward it to the Council with a view to its transmission to the Government of the country concerned, so that the latter may be enabled to submit its observations."

6.

ECONOMIC AND FINANCIAL QUESTIONS.

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A. ECONOMIC RELATIONS SECTION.

I. PRESENT PHASE OF INTERNATIONAL ECONOMIC RELATIONS.

In 1935, just before the Assembly met, the Economic Committee (forty-third session) submitted to the Council a general report on the present phase of international economic relations.<sup>1</sup>

In this report, the Committee endeavoured to prove, by means of familiar examples drawn from everyday life, that the economic interests of each individual country are very closely bound up with international economic interests, and that it is an unnatural, not to say dangerous, proceeding to draw too hard-and-fast a line between home trade and foreign trade.

Examining the restrictions imposed by most countries with the object of shutting out foreign imports, the Committee set out to prove that such measures do not achieve their purpose and must, when they are too severe, inevitably increase the embarrassments of the country applying them, and of the international community.

After pointing out that the danger of continuing along these lines is far greater than any momentary disadvantage that might follow the lowering of trade barriers (and in particular a less frequent resort to quotas), the report devoted a separate chapter — which was also submitted to the Financial Committee — to certain aspects of the monetary situation which disturb the traditional concepts that have hitherto formed the basis of international trade.

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<sup>1</sup> Document C.344.M.174.1935.II.B.

This chapter ends with the following reflections, which still apply with full force :

“In the meanwhile, genuine signs of convalescence are beginning to appear. This tentative recovery, however, has to rely upon a machine which has suffered serious damage and whose cogs no longer fit. The machine is in urgent need of overhauling. It is to be hoped that, as soon as circumstances — political and other — permit, the position will be examined objectively, in the first place by the countries chiefly concerned, with a view to ascertaining whether opinion on either side has progressed sufficiently for it to be possible to contemplate for a stated period a *modus vivendi* in which monetary and commercial factors would both play their part.

“The position is too chaotic and the future too uncertain for it to be possible to consider permanent or even long-term arrangements. If found to be worth while, temporary co-operation could, without difficulty, be transformed into permanent co-operation, but at first it must be sufficiently elastic in form to enable the parties to resume their freedom of action, should that prove necessary.

“Co-operation in monetary matters alone — to which allusion is frequently made in the Press — would, of course, mark a considerable advance on the present position, but the dangers of disequilibrium would still be such that it would appear very doubtful whether such a step could be seriously entertained.”

The Second Committee of the Assembly endorsed these conclusions and, in the resolution which the Assembly subsequently adopted, urged a return to a more liberal economic policy, recommending the conclusion of bilateral agreements based on the most-favoured-nation principle.

Very few of the commercial treaties that have been signed since September 1935, however, can be said to be based on liberal principles, with the exception of those concluded by the United States of America in conformity with the new commercial policy inaugurated by them in 1934, which happens to be in harmony with the Assembly's recommendations.

On the other hand, the restriction of imports by means of quotas is still being practised on a wide scale ; more countries have taken to controlling foreign exchange transactions ; the number of clearing agreements — which are an inevitable consequence of foreign exchange control — has still further increased (even the United Kingdom, which had until then been radically



opposed to this kind of agreement, recently concluded one with Spain); and the unlimited and unconditional most-favoured-nation clause has lost further ground.

On the whole, in spite of what seems to be the beginning of an economic revival, there has been no appreciable improvement in international trade relations since September 1935.

The Economic Committee has up to the present refrained from holding a further meeting, in the hope that some change might take place which would allow it to make a useful contribution to the development of international trade. Such has not been the case, however. It has therefore decided to postpone its forty-fourth session until next September, in the hope that in the meanwhile the present rather confused political situation will have evolved sufficiently to create a more favourable atmosphere for the Committee's proceedings.

Important events which could not fail to exert considerable influence upon the general character of the Committee's report are also possible in the monetary sphere, and the Committee would no doubt prefer to be able to take into account the resulting developments, the probable trend of which cannot at present be discerned.

In these circumstances, no information can be given as to the progress made in connection with several questions that are on the Committee's agenda or form part of its programme. Something may nevertheless be said concerning some of the Economic Organisation's other activities.

## II. ENQUIRY ON CLEARING AGREEMENTS.

The Second Committee of the sixteenth Assembly gave considerable attention to the report <sup>1</sup> issued in March 1935 by the Joint Committee of representatives of the Economic and Financial Committees set up to conduct "an enquiry into the causes, scope, methods and results of compensation and clearing agreements". The latter's findings met with fullest approval, the Second Committee particularly endorsing its conclusion that "the clearing system cannot be more than an expedient or

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<sup>1</sup> Document C.153.M.83.1935.II.B. The report was summarised in the previous annual report (document A.6.1935, pages 76-78).

makeshift involving numerous drawbacks, and that it should therefore be abolished as soon as possible ”.

On the Committee's proposal, the Assembly, on September 28th, 1935, adopted a resolution suggesting “ that the Council should consider the desirability of organising in a suitable manner, in co-operation with the Bank for International Settlements, a consultation by competent persons with a view to devising means for promoting the application of the suggestions made by the Joint Committee ”. At its meeting in January 1936, however, the Council took the view that circumstances were then unsuitable for any such consultation and left the decision as to when it should be undertaken to its President acting in conjunction with its Rapporteurs for economic and financial questions who, when the time came, would also select the persons to be approached.

Circumstances having remained unchanged, the President of the Council has not, as yet, come to any decision in the matter.

### III. NUTRITION.<sup>1</sup>

At the last Assembly (September 1935), the problem of nutrition, in its relations with public health on the one hand and economic and social systems on the other hand, was the subject of thorough discussion, as the result of which the Assembly adopted a resolution requesting the Council :

“ (1) To invite the Health Organisation of the League of Nations to continue and extend its work on nutrition in relation to public health ;

“ (2) To instruct the technical organisations of the League of Nations, in consultation with the International Labour Office and the International Institute of Agriculture, to collect, summarise and publish information on the measures taken in all countries for securing improved nutrition ; and

“ (3) To appoint a Committee, including agricultural, economic and health experts, instructed to submit a general report on the whole question, in its health and economic aspects, to the next Assembly, after taking into consideration, *inter alia*, the progress of the work carried out in accordance with paragraphs (1) and (2) above.”

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<sup>1</sup> See also page 147.

In execution of paragraph (2) of the above resolution, the Secretary-General requested the Governments to forward in the form of a general statement all the information which appeared to them to have a direct bearing on the improvement of nutrition.

The Secretary-General directed special attention to a number of questions, viz. :

“ (a) Practical measures taken by the central and by the local authorities to ensure an improved dietary for various population groups, such as : mothers and infants, schoolchildren, inmates of institutions, industrial workers and agricultural labourers, unemployed, persons in receipt of relief, etc.

“ (b) The same question with regard to the work of private organisations (co-operative societies, employers' and workers' associations and the like).

“ (c) Have the public authorities any means (and if so, which) of testing the prevailing level of nutrition, more especially with a view to ascertaining whether certain parts of the population are under-nourished ?

“ (d) Methods applied for the collection of information on nutrition. In what form is this information presented (by occupational groups, income groups) ?

“ (e) What are the dietary standards laid down for certain groups of persons whose food is provided by the public authorities — e.g., army, navy, employees and workmen, inmates of institutions, etc. ?

“ (f) Are the public authorities or private organisations doing anything to disseminate among the public a knowledge of the principles and practice of rational nutrition ? ”<sup>1</sup>

In pursuance of paragraph (3) of the Assembly resolution, the Council appointed a Mixed Committee for the Problem of Nutrition, which held two sessions, in February and June 1936, with Lord Astor in the chair.

The preliminary report of the Committee in question, the title of which is in itself an indication of the diversity of the interests concerned with nutrition problems, is in the press.<sup>2</sup>

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<sup>1</sup> The essential elements of the above documentary material are collected together in a single volume (document A.12(b).1936.II.B, Volume II).

<sup>2</sup> Document A.12.1936.II.B, Volume I.

#### IV. DRAFT INTERNATIONAL CONVENTION FOR THE PURPOSE OF FACILITATING COMMERCIAL PROPAGANDA.<sup>1</sup>

In July 1935, the delegates of a number of countries met and revised a draft international Convention which had been prepared by the Economic Committee for the purpose of facilitating commercial propaganda, and recommended its adoption. In the following September, the Council had before it a proposal to invite the same Governments to send representatives to a meeting which it was proposed to hold as soon as possible, and at which the Convention was to be signed.

The Council was entitled to suppose that, as the Convention contained no provision touching on economic policy and as the delegates of the Governments represented at the meeting in July had duly recommended its adoption, those Governments would be in a position to reach a quick decision and to sign it. Though unambitious in scope, the instrument in question is designed to encourage trade by helping to make the exports of each country known in the others.

One of the Members of the Council, however, asked that, before the final meeting was convened, the Governments concerned should be consulted, in order to make quite certain that they were favourably disposed. This enquiry, which has been proceeding for several months, has not yet yielded complete results. Some of the Governments consulted have not yet replied or have proposed textual amendments which, though not fundamental, necessitate the consent of the other parties and thus involve delays that may compromise the results achieved.

#### V. TOURIST TRAFFIC AS A FACTOR IN INTERNATIONAL ECONOMIC AFFAIRS.<sup>2</sup>

In August 1934, the Economic Committee decided, in view of the increasing attention paid to foreign tourist traffic in the economic policy of certain countries, to make this matter a permanent item on its agenda, so that it might, in due course, take

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<sup>1</sup> See documents C.271.M.138.1935.II.B and A.6(a).1935, page 23.

<sup>2</sup> See previous annual report (document A.6.1935, page 73).

such steps as it thought desirable to maintain the best possible conditions for the movements of tourists and the money they require.

From the outset, the Economic Committee realised that circumstances were not very favourable. For some years past, under the influence of the economic depression, many countries have found themselves obliged to control dealings in foreign currencies. These regulations have grown more and more restrictive as financial difficulties increased and are now the most serious hindrance to international tourist traffic. To defend their interests, countries visited by tourists are obliged to negotiate bilateral agreements with countries that limit currency exports. By so doing, they seek to maintain, in part at least, a tourist traffic which their hotel industry requires and they offer, by way of compensation, to buy more goods in the countries from which the tourists come.

But this extension of the treaty regulation of commercial policy to the movements of individuals, this tendency to canalise and direct them is not unaccompanied by serious drawbacks. Though persons interested in the tourist traffic admit that that traffic must necessarily be influenced by financial and economic factors, their main desire is to preserve it from a similar course of evolution. Various ideas have been mooted, but none has so far brought about any appreciable improvement in the conditions that are restricting the traffic.

The Economic Committee observed that tourist statistics are by no means so complete as to afford an accurate idea of the real extent of the hindrances to the traffic. Consequently, it decided to submit this question to experts, and requested the Council to draw the attention of the Committee of Expert Statisticians (set up by the Convention of December 14th, 1928) to the defects in the methods of compiling tourist statistics and the desirability of improving and standardising them. This Committee of statisticians now has the question under consideration and is endeavouring to discover remedies.

The Economic Committee has also set up a Sub-Committee of Experts, consisting mainly of directors of the national tourist offices of the countries most directly concerned in resuscitating the international tourist traffic and of representatives of great international tourist organisations. The Committee has asked

this Sub-Committee for its opinion as to what can be done to improve conditions,

The experts sat at Geneva from October 21st to October 24th, 1935,<sup>1</sup> and carefully discussed various international tourist traffic questions in the light of the present economic situation. Briefly — as regards the obstacles created by the economic depression — they reached the conclusion that interventionist methods had in most cases accentuated the difficulties of international tourist traffic and had made the position of the undertakings concerned worse than before. They held, therefore, that, though there might, in present circumstances, be some justification for certain agreements, such agreements should be strictly provisional ; the final aim must, in every case, be to restore the complete freedom of international tourist traffic.

As most of the technical questions connected with tourist traffic have already been discussed and studied by other bodies, the experts merely approved the general tendency of these enquiries and expressed the hope that they would be pursued as energetically as the most directly concerned parties desired.

The meeting of experts proved how unfavourable present circumstances are to efforts to resuscitate international tourist traffic. It also clearly showed how necessary it is to continue unremittingly the preliminary work of collecting facts.

## VI. EXPORT AND IMPORT OF MEAT AND MEAT PREPARATIONS.

In accordance with a resolution of the Council dated September 17th, 1935, the Secretary-General asked the various Governments to send him, by May 1st, 1936, if possible, their observations on the provisions of a draft International Sanitary Convention relating to the International Trade in Meat and Meat Preparations,<sup>2</sup> which had been drawn up by a Committee of Experts appointed by the Economic Committee.

In this draft, the experts endeavoured to define the maximum guarantees which, in their opinion, countries importing these products would be justified in requiring on the importation of products originating in exporting countries parties to the proposed

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<sup>1</sup> The results of this Sub-Committee's work are set out in document C.3.M.3.1936.II.B.

<sup>2</sup> See document C.343.M.173.1935.II.B (Annex).

Convention. These guarantees should be twofold : (1) that the imported products, while retaining their nutritive qualities, involve no danger to public health; and (2) that they are not such as might constitute a source of contagion among animals.

When seeking to define the rules and methods of meat inspection and the essential conditions which should govern such operations, including transport, packing, handling and preparation, the experts endeavoured to reconcile technical needs with the variable and often peculiar conditions existing in most exporting countries and with the requirements of importing countries.

The Economic Committee, assisted by experts, should be able to put the finishing touches to the draft Convention, in the light of such observations as Governments may wish to make, when a sufficient number of replies have come in. The replies so far received are, on the whole, favourable.

This Convention will form a useful supplement to those signed in February 1935. It will doubtless help to develop the international trade in live-stock and animal products.

## VII. CONVENTIONS ON VETERINARY QUESTIONS.

The period during which the three veterinary Conventions signed at Geneva on February 20th, 1935,<sup>1</sup> remained open for signature expired on February 15th, 1936.

On that date, the Conventions had been signed on behalf of the following fifteen countries : Austria, Belgium, Bulgaria, Czechoslovakia, France, Greece, Italy, Latvia, Netherlands, Poland, Roumania, Spain, Switzerland, Turkey, Union of Soviet Socialist Republics.

The Government of Iraq has informed the Secretary-General that it has decided to accede to the International Convention for the Campaign against Contagious Diseases of Animals. The question of its accession to the other two Conventions concluded on the same date is under consideration.

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<sup>1</sup> See Report on the Work of the League since the Fifteenth Session of the Assembly (document A.6.1935), page 75.

### VIII. COMMON TARIFF NOMENCLATURE.

The Sub-Committee of Experts for the Unification of Customs Tariff Nomenclature has begun to revise its draft <sup>1</sup> in the light of the observations made by Governments.

The examination of the experts' draft has taken a long time in certain countries, particularly those which had no representative on the Sub-Committee. A careful study of the common nomenclature by various branches of the Administration had in many cases to be accompanied by consultations with industrial and commercial interests.

It seems probable that a final text of the draft will be ready by the beginning of 1937. If, by that date, the economic revival, of which there seem to be numerous signs in some countries, were to become more perceptible, and above all to spread, if, moreover, the political situation, which at present predominates over economic considerations, were to improve, an effort might be made to secure the application of the League of Nations nomenclature — an indispensable technical basis for mutual comprehension and understanding in the domain of international trade relations.

There can be no question of obtaining an immediate universal application of the draft. Such a plan would be too ambitious and sure to fail. The policy should be to encourage those countries which have shown their interest in the League's draft to adopt it by mutual consent. Though few in number as yet, they do include several States of considerable importance from the point of view of international trade. When once the nomenclature has been adopted by these countries, they should consider how to *maintain* the uniformity thus achieved; for it is by maintaining such uniformity that the many advantages expected from the adoption of the League nomenclature will be reaped, as regards both tariffs themselves and commercial statistics and treaty policy. The fact that such advantages definitely exist should gradually lead to an increase in the number of States using the unified nomenclature.

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<sup>1</sup> Document C.921.M.486.1931.II.B, Vols. I and II. (See also Part I of the Report on the Work of the League since the Fourteenth Session of the Assembly (document A.6.1934), page 52.)



## B. WORK OF THE FINANCIAL ORGANISATION.

### I. GENERAL REMARKS.

The Financial Section of the League has in recent years been concerned with the work of four Committees — the Financial Committee, the Fiscal Committee, the Committee of Statistical Experts and the Committee on the Allocation of Expenses. It is at the same time responsible for the various publications on economic and financial subjects prepared by the Economic Intelligence Service, which constitutes part of the Financial Organisation.

A fifth Committee has been constituted, under a resolution of the last Assembly, to examine the means of improving international loan contracts. This Committee's work will be completed when it has reported on the specific and limited problem submitted to it.

There are also other Committees not directly attached to the Financial Organisation which have called upon the services of the Financial Section. Thus, the Section has taken part in the work of the Mixed Committee on Problems of Nutrition, and its executive officials have been directly concerned in the past year with the administrative work arising in connection with the Committee of Co-ordination (and its various sub-committees) for the application of measures under Article 16 of the Covenant.<sup>1</sup>

In February, the Venezuelan Government requested the Secretary-General to suggest the name of a financial and economic expert to give advice on certain questions over a period of six months. The Secretary-General proposed, and the Venezuelan Government accepted, M. Pierre Denis, a former official of the Secretariat, who took an active part in financial reconstruction work under the auspices of the League. He left for Venezuela in April.

### II. WORK OF THE FINANCIAL COMMITTEE.

The composition of the Committee has undergone certain changes recently. M. Svanidze, President of the Bank for Foreign

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<sup>1</sup> For a summary of the work of the Co-ordination Committee, see pages 46 *et seq.*

Trade of Moscow, was appointed a member of the Committee at the beginning of 1935 ; M. Rygg, Governor of the Bank of Norway, resigned and was replaced by M. Bramsnaes, Director of the Bank of Denmark ; M. Blau, Director of Federal Taxes at Berne, was delegated by the Fiscal Committee to represent it on the Financial Committee in view of the connection between the work of these two bodies.

The time of the Committee has been mainly devoted to following financial developments in Austria, Bulgaria and Hungary, and also in other countries which have issued loans under the auspices of the League. But, taking as a basis certain graphs prepared by the Economic Intelligence Service which depict general economic developments in certain representative countries, the Committee has also devoted part of each of its meetings to discussing general problems. The exchange of views and of information which takes place at these discussions helps the Committee to follow the general evolution of economic and financial events in the world and to frame judgments on the significance of these more general developments for the specific national questions with which it is normally more directly concerned.

Meetings have been attended by representatives of the three countries mentioned. The Minister of Finance and the Governor of the bank of issue have generally submitted their problems personally to the Committee and studied possible solutions with it.

The most important problems of the year were those connected with internal indebtedness, difficulties of transfer for debt services, the progressive adaptation of currencies to their real value and the manifold secondary effects of exchange restrictions and the whole apparatus of control on the finances and trade of these countries.

In its reports to the Council,<sup>1</sup> the Committee has given an account of its work and has traced the financial and economic developments in each of the countries with which it is habitually concerned. The last three or four reports of the Committee give a much more favourable impression of the financial and economic situation in these three countries. Both industrial production and

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<sup>1</sup> See documents C.341.M.172.1935.II.A, C.490.M.264.1935.II.A, C.206.M.128.1936.II.A.

foreign trade are increasing and public revenues reflect the growth in national income.

This has been particularly apparent in *Austria*; but the Committee emphasises that further progress is dependent on the maintenance of a balanced budget. That part of the short-term debt which was at one time frozen has been liquidated and the service of the public debt has throughout been punctually met. The Treasury, while its situation is not particularly easy, has been able to find all the resources it needs without difficulty on the internal market.

In its May report, the Committee pointed out that there was no immediate prospect of a balanced budget in *Hungary*, although both the financial and general economic situation of the country appear to be developing favourably. Certain of the State undertakings, in spite of recent reforms, are still a heavy burden on the budget. The State iron works have been especially conspicuous in the Committee's reports, and their recurrent annual deficits weigh heavily on the Treasury. There has been real progress in the monetary field. Towards the end of 1935, a system was devised which tends to unify the export premia and import surcharges on the exchange market.

Some such measure of simplification had frequently been recommended by the Financial Committee. It will be recalled that, in May of the previous year, the Mixed Committee on Clearings had included in its report to the Council the following strong recommendation :

“ The Committee considers that all proposals and all action designed to counteract, directly or indirectly, the grave drawbacks to international commercial relations resulting from the application of an artificial exchange rate in order to relieve the situation of the debtor country should be encouraged.”

The public finances of *Bulgaria* continue to present serious difficulties ; but almost every report of the Financial Committee has mentioned the adoption of some measure of reform or re-organisation which has been discussed by it with the representatives of the Government. The state of the budget has naturally made the situation of the Treasury precarious ; and the Financial Committee was led, in September 1935, to recommend to the Council that the limit to the issue of Treasury bills under Article 9 of the Protocol of March 10th, 1928, which had

already been raised more than once previously, should again be extended, so that it now stands at 1,700 million leva. Last May, the Financial Committee again had to consider the possibility of further strengthening the Treasury, and proposed that the Council should authorise the suspension of amortisation on the 1935 Treasury bills during the current year. It is not yet certain that, as a result, a deficit in the budget will be avoided.

Bulgaria has also recently simplified the regulations which govern foreign trade and exchange operations.

At regular intervals, the Committee receives a report on the financial and economic situation in *Estonia*, which issued a loan under the auspices of the League in 1927. One of the members of the Committee is the Trustee of this Loan, and such reports are drawn up either by him or by the Bank of Estonia. In May 1936, the Committee inserted a passage on Estonia in its report and drew attention to the very satisfactory condition of the public finances and the economic situation of the country in the last two years.

The same report also contains a passage on financial statistics. A resolution of the International Thrift Congress, held at Paris in May 1935, had requested the International Thrift Institute to collaborate with the League of Nations in studying the unification of savings statistics. In reporting upon this resolution to the Council, the Committee recommended that the Committee of Statistical Experts, constituted, in pursuance of the International Convention on Economic Statistics on December 14th, 1931, to promote uniformity in economic statistics, should extend its activities to the whole question of comparability of financial statistics. A resolution in this sense was adopted by the Council in May 1936.<sup>1</sup>

### III. WORK OF OTHER COMMITTEES.

#### *Committee on International Loan Contracts.*

This Committee was appointed as a result of a resolution adopted by the Assembly in 1935 :

“ The Assembly invites the Council to arrange for the designation of a committee of legal and financial experts to examine

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<sup>1</sup> See *Official Journal*, June 1936, page 550.

the means for improving contracts relating to international loans issued by Governments or other public authorities in the future, and in particular to prepare model provisions — if necessary, with a system of arbitration — which could, if the parties concerned so desired, be inserted in such contracts.

“ The committee should be authorised to obtain the co-operation of the International Institute at Rome for the Unification of Private Law as well as of representatives of bondholders' associations and to consult such experts as it may deem desirable.”

The discussions in the Second Committee of the Assembly reflected the importance attached by several delegations to a resumption in international lending. An improvement in international loan contracts was, it was felt, likely to have a favourable effect on the international capital market ; there have been many examples in recent years of disputes between creditors and debtors which arose from the uncertainty and lack of uniformity in the customary clauses of such contracts.

Amongst the numerous points raised during the course of the discussions was the absence of any clear definition of the jurisdiction competent to settle disputes between parties. Legal problems connected with international loans are not governed by international law, but by contract and the relevant municipal legislation. But, in practice, the contract may be at variance with the spirit of such legislation. The adoption of a provision for arbitration was suggested as affording a solution for the future of at least certain of the difficulties that had been experienced in the past. Other points raised were the organisation of some legal representation — whether national or international — of bondholders and the definition of the money in which the service of the debt should be met.

The terms of reference of the Committee limit its enquiry to loan contracts which may be issued in the future on international markets by Governments or other public authorities.

The Committee was appointed by the Council on January 23rd, 1936, after asking the Financial Committee to suggest names of financial experts. It consists of three legal experts, specialists on the subject, who represent both the Anglo-Saxon and Continental systems of law, and eight financial experts with experience in this type of loan, five of whom are members of the Financial Committee.

Certain national bondholders' associations and other institutions, such as the French Parliamentary Gold Loans Commission, have shown a lively interest in the Committee's work, which will doubtless take a considerable time.

The Committee held a short meeting on April 27th-28th to fix the main lines of its work. A legal study of various recent loan contracts of a typical kind was referred to the legal members of the Committee. The Committee will probably meet again at the end of this year.

#### *Committee of Statistical Experts.*

An account of the work of this Committee, which was constituted on the basis of a recommendation of the 1928 Statistical Convention, was given in the last report,<sup>1</sup> as the Committee met in June 1935. It will not meet again until October 1936. Its work has been carried on by correspondence and through sub-committees.

The "Minimum List", intended to render possible an international comparison of trade statistics in certain commodities, was communicated to Governments under the authority of the Council and the hope was expressed that they would be able to use it in the classification of their trade statistics. By May 1936, the Governments of Denmark, the United Kingdom, France, Bulgaria, Sweden, Poland, the United States of America, New Zealand, Norway and Iceland had expressed their willingness to adopt the new list. The Hungarian Government stated its willingness to introduce it after the expiry of the Brussels Convention on Trade Statistics.

In 1935, the Council and Assembly had recommended the compilation of certain auxiliary trade statistics designed to give an exact picture of the flow of certain staple commodities from producing to consuming countries. These statistics have been furnished by about twenty countries for the year 1935. The information received, when it has been sifted and co-ordinated, will be submitted to the Committee of Statistical Experts before it is published.

Meanwhile, four Sub-Committees on timber, tourist, mineral and metallurgical, and production statistics respectively have made a preliminary study of their various problems, with a

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<sup>1</sup> Document A.6(a).1935, page 24.

view to submitting reports and recommendations to the main Committee. Two of the subjects considered by these Sub-Committees — production and mineral and metallurgical statistics — arose directly out of the Statistical Convention of 1928. The problem of timber statistics was referred to the Statistical Experts on the request of the Monetary and Economic Conference of 1933 ; and the problem of tourist statistics on the request of the Economic Committee of the League.

As has been stated above,<sup>1</sup> the Council, in May last, further referred to it the whole question of the comparability of financial statistics. The primary object of this Committee is to promote comparability and uniformity in methods of collecting and compiling different branches of national statistics.

#### *Committee on the Allocation of Expenses.*

The Committee on the Allocation of the Expenses of the League was appointed by the Fourth Committee of the 1935 Assembly, its terms of reference being to recommend a scale of allocation of expenses for the financial period 1936, to consider the whole question of allocation during that year, and to report to the Assembly at its next ordinary session.

The Committee's recommendations for 1936 were adopted by the Fourth Committee<sup>2</sup> and the Assembly.<sup>3</sup> In accordance with its further instructions to consider the whole question of allocation, the Committee met at Geneva on December 2nd, 1935, when a general discussion took place and instructions were given to the Secretariat for the preparation of certain economic information.

In order to allow the Secretariat sufficient time for the preparation of the information asked for, the Committee decided to hold its next meeting in May 1936. At that session, which lasted from May 4th to 7th, the Committee examined the documents prepared by the Secretariat and considered the claims for reductions put forward by various Member States and, in addition, the actual allocation of all States. Its report has been circulated to the Member States.<sup>4</sup>

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<sup>1</sup> See page 126.

<sup>2</sup> Document A.74.1935.X.

<sup>3</sup> *Official Journal*, Special Supplement No. 137, October 1935, page 20.

<sup>4</sup> Document A.10.1936.C.R.D(II).21.

#### IV. PUBLICATIONS OF THE ECONOMIC INTELLIGENCE SERVICE.

##### *Monthly Bulletin of Statistics.*

This publication has been issued regularly during the past year. Apart from the regular tables, each number has contained special tables and graphs on selected subjects of economic interest. The number of subscriptions has again increased.

##### *International Trade Statistics, 1934.*

A new volume of *International Trade Statistics* was published in December 1935. It analyses the foreign trade in 1932, 1933 and 1934 of sixty-five countries accounting for some 95% of total world trade. It contains more than 300 tables, which are accompanied by explanatory notes. These data illustrate strikingly the great changes undergone in recent years in the composition and direction of foreign trade and their effect on the position of individual countries. Detailed and, in some cases, comparable figures indicate for each country its total imports and exports of merchandise, bullion and specie, and the distribution of its trade, as regards both other countries and the principal articles and classes of commodities. Synoptical tables are also given showing the percentage distribution of each country's imports from, and exports to, other countries.

This volume, unlike the *Review of World Trade*, which is largely based on it, is not a survey of recent happenings, but a synopsis of primary sources. It is, like the *Statistical Year-book* and the *Monthly Bulletin of Statistics*, a purely statistical publication. The general surveys, *Money and Banking*, the *Review of World Trade*, *World Production and Prices*, and the *World Economic Survey* interpret the figures which these volumes contain.

##### *Balances of Payments, 1934.*

The Service brings out each year new information concerning the international accounts (including "invisible" items such as capital movements, interest and dividend payments, tourists' expenditure, etc.) and outstanding foreign debts and assets of various countries. The volume *Balances of Payments, 1934*, which was issued in December 1935, brings together practically



all authoritative information which became available in this field during 1935. Individual sections are given for about thirty-five countries. Among the new features in this volume may be mentioned balance-of-payments statements for the Philippines, Haiti and Manchuria, and a collection of data concerning Switzerland derived from various sources.

Information about the international account of each country is obtained through a questionnaire sent to Governments. As the nature of transactions, and therefore the methods of compilation, varies between one Government and another, the items of the replies have to be rearranged with a view to comparability. The data thus rearranged and co-ordinated are summarised in an introduction.

In the introduction, an attempt is made to describe the general trends which emerge from the multifarious details which go to make up the statements on individual countries.

#### *Public Finance, 1928-1935.*

The suspension of this publication for several years had been due to the fact that the time of the specialised staff has been absorbed by other work — *e.g.*, studies on the budgetary control of armaments for the Conference on the Reduction and Limitation of Armaments and the preparation of technical information for the Committee on the Allocation of Expenses. It now takes the form — at least provisionally — of the issue of a series of parts, one relating to each country. Fifteen parts out of a proposed total of some sixty have already been issued.

The series is intended to give a conspectus of the development of public finance during the past seven years. The information given includes summaries of the main facts and figures relating to public finance from 1928-1935, or, if it is available, up to a later date. It will include a summary of budget and State accounts, the main items of receipts and expenditure, the Treasury position, the situation of the public debt, and, if possible, the balance-sheet of State assets and liabilities. Technical notes explain the figures and mark the essential changes which have taken place from year to year. They enable students of the subject to obtain some understanding of the influence of the recent crisis on public finance and the measures taken by

Governments to meet the difficulties created by that crisis ; the extent to which receipts taken as a whole or individually have been affected ; how new sources of receipts have been created ; how all or part of State expenditure has been reduced, maintained, or increased ; and how deficits have been covered.

For each country, notes are given on the budgetary system, which afford an outline of the general budgetary principles applied. These, it is hoped, will assist those who desire to make a closer study of the situation in any particular country from original sources.

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The forthcoming issues of *Money and Banking*, the *Statistical Year-book*, the *Review of World Trade, World Production and Prices* and the *World Economic Survey* will be reviewed in Part II of the annual report.

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7.

COMMUNICATIONS AND TRANSIT.

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I. RAILWAY QUESTIONS.

*Legal and Administrative Regime of Frontier Sections of Railway Lines and Frontier Junction Stations.*<sup>1</sup>

At its nineteenth session (November 5th-9th, 1935), the Advisory and Technical Committee considered a report by its Permanent Committee for Transport by Rail. It emphasised the importance of the enquiry conducted by the Secretariat and the Permanent Committee into the possibility of framing standard conventions on frontier railway traffic. It agreed with the Permanent Committee that, in view of the variety of the fundamental conditions in different cases, no standard convention was to be recommended.

The Advisory and Technical Committee was of opinion, however, that the work done might afford a basis for agreements as yet uncompleted.

The matter was referred to the Council, which instructed the Secretary-General to transmit the survey and report of the Communications and Transit Organisation to Governments and to recommend them to avail themselves to the full, when concluding future agreements, of the material collected and the general schema drawn up in the course of the enquiry.

*Ratification and entry into force of the International Conventions on the Transport of Goods by Rail (C.I.M.) and the Transport of Passengers and Baggage by Rail (C.I.V.), drawn up at Rome in 1933.*<sup>2</sup>

The Advisory and Technical Committee laid stress upon the urgency of ratifying and putting into force the new International

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<sup>1</sup> Document C.144.M.75.1935.VIII.

<sup>2</sup> See the annual report for 1934, Part I (document A.6.1934), page 65.

Conventions on the Transport of Goods by Rail (C.I.M.) and the Transport of Passengers and Baggage by Rail (C.I.V.), drawn up at Rome in 1933, because they will introduce considerable improvements in transport and national economy generally. For example, the special discretionary clause in the new Convention on Goods Transport will provide the indispensable legal basis for certain new forms of transport, such as transport with negotiable waybills. It will be remembered that the League has on several occasions emphasised the importance it attaches to the introduction of a transport document of this kind. Merchants and bankers, as well as producers, believe that it would greatly facilitate international trade.

The Council accepted this view, and instructed the Secretary-General to call the attention of the Governments concerned to the desirability of ratifying these conventions.

## II. ROAD TRAFFIC.<sup>1</sup>

### *Road Signalling.*

Continuing its work on the subject of signalling in order to adapt the international regulations to the growing needs of traffic, the Permanent Committee on Road Traffic adopted recommendations concerning two new road signs, one prohibiting overtaking and the other denoting restrictions on the use of sound warning signals. The Committee also defined the proper use of the place-sign referred to in the annex to the 1931 Convention on the Unification of Road Signals.<sup>2</sup>

### *Mechanical Light Signals.*

The Permanent Committee on Road Traffic had been considering this question for some time, and felt that the time had come to lay down international rules for light-signalling. Several countries were anxious to introduce a single system in place of the various systems now in use, but in some cases it was rather difficult to decide on their respective merits. On enquiring into the position in the different European countries, the Committee found that the three-colour system was steadily spreading and seemed to be satisfactory both to the authorities and to road-

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<sup>1</sup> See the previous report, Part II (document A.6(a).1935), pages 30 *et seq.*

<sup>2</sup> Document C.231.M.99.1931.VIII.

users. It therefore decided to recommend that the three-colour system be adopted to the exclusion of any other. It defined the meaning of the three colours used and dealt with various points of detail arising.<sup>1</sup>

The Advisory and Technical Committee endorsed the Permanent Committee's conclusions and asked the Secretary-General to draw the attention of Governments to the recommendations regarding the two new signs mentioned above and to the recommendation concerning mechanical light-signalling. It is hoped that they will follow these recommendations when framing regulations for road-signalling, and that, if they think fit, they will arrange to introduce into the international regulations the principle of the meaning attached by the Permanent Committee to the red, amber and green lights respectively, and also the two new signs already referred to.

Among the other questions discussed by the Permanent Committee on Road Traffic were that of the simplification of formalities for foreign motorists in countries where insurance is compulsory and that of the standardisation of statistics of traffic accidents.

#### *Civil Liability of Motorists and Compulsory Insurance.\**

The Advisory and Technical Committee discussed at its nineteenth session the question of co-operation between the Communications and Transit Organisation and the Committee of Jurists set up by the Rome International Institute for the Unification of Private Law to enquire into the question of the civil liability of motorists for damage due to traffic accidents.

As the natural method of ensuring close co-operation with the League, the Rome Institute had intimated that representatives of the appropriate League bodies, which might wish to keep in touch with and assist in the work of the Institute's Committee, would be welcomed. The Advisory and Technical Committee was gratified to learn that its Chairman had appointed a member of the Permanent Committee on Road Traffic to represent the Communications and Transit Organisation at the International Committee's first session (Rome, May 27th-30th, 1935).

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<sup>1</sup> Document C.468.M.246.1935.VIII.

\* See document C.458.M.240.1935.VIII.

The contact thus established between the two bodies is particularly valuable, because the question of the civil liability of motorists for damage due to traffic accidents is closely linked with the question of compulsory insurance, which is under consideration by the Permanent Committee on Road Traffic.

In accordance with the Advisory and Technical Committee's wishes, the Chairman arranged that in future the Communications and Transit Organisation should be represented on the Committee of Jurists by a delegation consisting of a member of the Permanent Committee on Road Traffic (see above) and a member of the Permanent Legal Committee of the Organisation. He has informed the International Institute at Rome for the Unification of Private Law that the Committee considered it essential that it should have an opportunity of studying the results of the work done before they were submitted to the Council of the League of Nations, and that it should be able to make any observations thereon which it considered advisable.

Since the Advisory and Technical Committee's last session, the Committee of Jurists of the Rome Institute has held a further meeting (March 1936), the Advisory and Technical Committee being again represented.

### III. SIGNALS AT LEVEL-CROSSINGS.<sup>1</sup>

The Advisory and Technical Committee considered a report by its Special Committee on the question of signals at level-crossings. In the light of the observations of its Permanent Committees on Transport by Rail and Road Traffic, it drew up the final text of the programme of measures to be taken for the establishment of an efficient international signalling system at level-crossings.<sup>2</sup> It recognised the necessity for finding a uniform solution for the problem at an early date. It asked the Council to transmit the programme to Governments and enquire whether, in their opinion, it might be taken as a basis for the conclusion of an international convention and whether they would be prepared, if called upon, to take part in a conference convened by the League of Nations for that purpose.

The Council (January 1936)<sup>3</sup> expressed its gratification that

<sup>1</sup> See the previous report, Part II (document A.6(a).1935), pages 30 and 31.

<sup>2</sup> Document C.458.M.240.1935.VIII, Annex 5.

<sup>3</sup> See *Official Journal*, February 1936, page 63.

the Committee had arrived at definite proposals designed to safeguard human life more effectively against traffic accidents by suitable and uniform signals at level-crossings, and the Secretary-General was instructed to consult the Governments.

#### IV. CO-ORDINATION OF TRANSPORT.

In the report concerning the Transit Organisation submitted by the Second Committee to the sixteenth session of the Assembly,<sup>1</sup> it was mentioned that the question of the co-ordination of transport, and more especially of railway and road transport, is particularly occupying the attention of Governments at present. As a result of the rapid progress of new methods of transport, such as motor and air transport, a large number of countries have to bear a growing financial burden, and, in order to obviate disorder in the transport system within their frontiers, certain Governments have found it necessary to take new measures of various kinds, partly on economic grounds, but also on account of financial, social or national defence requirements. It would seem that a comparison between the measures taken by those countries might give very useful indications and direct into profitable lines the policy of transport co-ordination already initiated in a certain number of States. The Transit Organisation's attention was called to the advantage of undertaking such a study and of considering the problem of transport co-ordination in its widest aspects.

The Assembly, noting the importance for a great number of countries of the problem of transport co-ordination, and especially the co-ordination of railway and road transport, asked the Transit Organisation to study the situation and the measures taken to co-ordinate transport in the principal countries. The Advisory and Technical Committee for Communications and Transit instructed the Secretariat, with a view to collecting the requisite documentary material, to approach Governments and, if necessary, the organisations with special competence in the matter, limiting its enquiry for the moment to transport by rail and by road and to inland navigation. The Secretariat was to submit the results of its enquiry to the Committee at

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<sup>1</sup> Document A.47.1935.VIII.

its next session, at which time the Transit Committee might take a further decision in the matter, bearing in mind the recommendations of the Assembly regarding co-operation with the Financial Committee and the Economic Committee.

## V. UNIFICATION OF BUOYAGE RULES.

The Conference for the Unification of Buoyage and the Lighting of Coasts, held at Lisbon in October 1930, was unable to arrive at a general agreement on the subject of buoyage. In continuation of its work, the Transit Organisation appointed a Preparatory Committee in 1933 to prepare a draft agreement and uniform buoyage rules. This Committee's drafts were then sent to the Governments of all the maritime States, and the Secretary-General enquired whether they were prepared to conclude an international agreement on that basis.

On examining the replies from Governments, the Advisory and Technical Committee found that more than twenty of them were prepared to conclude such an agreement. It appointed a small Committee of Experts to amend the drafts prepared in 1933 in the light of the Governments' observations. The Small Committee sat in London from February 10th to 14th, 1936, and revised the draft Agreement and Rules for a Uniform System of Maritime Buoyage, while maintaining their principles unchanged.

The new texts<sup>1</sup> were submitted to the Council, which, on May 13th, 1936, decided<sup>2</sup> to open the Agreement regarding a Uniform System of Maritime Buoyage (dated that day, with Rules attached) for signature by the States invited to the Lisbon Conference.

## VI. POLLUTION OF THE SEA BY OIL.

The Advisory and Technical Committee took note of the resolutions adopted by the Assembly and the Council<sup>3</sup> concerning the question of the pollution of the sea by oil, of the replies

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<sup>1</sup> Document C.261.M.154.1936.VIII.

<sup>2</sup> See *Official Journal*, June 1936, page 555.

<sup>3</sup> See the previous report, Part I (document A.6.1935), pages 84 and 85, and Part II (document A.6(a).1935), page 31.



to the questionnaire<sup>1</sup> and of a draft Convention and draft Final Act<sup>2</sup> for the use of a future international conference, prepared by the Committee of Experts in October 1935.

In conformity with the request of the Advisory and Technical Committee, the Secretary-General asked Governments to communicate to him, by April 1st, 1936, their observations on the drafts contained in the document prepared by the Committee of Experts, and to inform him whether, on the basis of these drafts, they were prepared to participate in an international conference for the purpose of concluding a convention on this question.

In addition, in conformity with a recommendation made at the second session of the Committee of Experts, Governments were invited to suggest the maximum figure of bunker capacity in small vessels driven by crude, fuel or Diesel oil in respect of which, in the view of Governments, special treatment might be accorded — *e. g.*, a reduction in any penalties which might be imposed for offences against the provisions of a future convention.

Governments were also asked to furnish to the Secretariat, by the date mentioned above, information as to the nature of the oil used in the bunkers of such vessels.

A document containing an account of the matter to date, including a summary of the replies of Governments on the draft Convention, is being prepared for the 1936 Assembly.

## VII. CUSTOMS EXEMPTION FOR LIQUID FUEL EMPLOYED IN AIR TRAFFIC.

At its last session (November 1935), the Advisory and Technical Committee for Communications and Transit took note of the Secretariat's report on this question and of the replies received from Governments to the circular letter inviting them to state whether they would be prepared to participate in an agreement according Customs exemption for liquid fuel employed in air traffic.<sup>3</sup> The Committee noted that almost all the replies were

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<sup>1</sup> Document A.20.1935.VIII.

<sup>2</sup> Document C.449.M.235.1935.VIII.

<sup>3</sup> See the previous report, Part II (document A.6(a).1935), page 32.

favourable to the conclusion of an agreement on the basis of the proposed text and was of opinion that, in these circumstances, the question might form the subject of such an agreement between European States. It therefore instructed its Chairman to approach the Council of the League in order that steps might be taken as soon as possible for the conclusion of an agreement.

On January 23rd, 1936, the Council was therefore called upon to consider the conclusion of an agreement embodying the text drawn up by the Advisory and Technical Committee and completed by the usual clauses.

At this meeting of the Council, the representative of the United Kingdom stated that his Government would be prepared to take the necessary steps in order to open in London at an early date the said agreement for the signature of European States. The Council approved of this procedure and adopted the draft Agreement.<sup>1</sup>

VIII. GERMAN REPRESENTATION ON THE INTERNATIONAL COMMISSION OF THE DANUBE : QUESTION RAISED BY THE GOVERNMENTS OF THE UNITED KINGDOM, CZECHOSLOVAKIA, FRANCE, ITALY, ROUMANIA AND YUGOSLAVIA.

The Advisory and Technical Committee had to consider, on June 12th, 1935,<sup>2</sup> the dispute that had arisen in the International Commission of the Danube as to German representation on that Commission. The question had been referred to it by the United Kingdom, Czechoslovak, French, Italian, Roumanian and Yugoslav Governments, under Article 376 of the Treaty of Versailles and pursuant to the League Assembly's resolution of December 9th, 1920, with the object of securing conciliatory action by the Communications and Transit Organisation.

Under the Treaty of Versailles, the International Commission of the Danube was to include two representatives of the German riparian States, Bavaria and Württemberg. Since the recent changes in the German Constitution, those two States have ceased to exist as entities in international law. Their powers

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<sup>1</sup> See *Official Journal*, February 1936, pages 111-113.

<sup>2</sup> Document C.458.M.240.1935.VIII.

in connection with international waterways were transferred to the Reich by an Act of January 30th, 1934, and there is now therefore only one German State on the banks of the Danube — namely, the Reich.

The question that arose was whether the Government of the Reich was entitled to one or two representatives on the Danube Commission or whether a new diplomatic agreement was necessary to determine its representation, since no provision is made in the Treaty for the representation of the Reich as such.

The Committee noted that the German Government had not accepted the Secretary-General's invitation to submit arguments to the Committee and be represented when it investigated the dispute with a view to conciliation.

Notwithstanding the absence of the German Government, the Committee held itself competent to enquire into the case, and, on November 9th, 1935, expressed the opinion that, owing to the peculiar circumstances, the dispute could not be settled by conciliation.

#### IX. DISPUTES RELATING TO THE REORGANISATION OF THE RAILWAYS OF THE FORMER AUSTRO-HUNGARIAN MONARCHY.

##### *Petition from the Noskovci-Slatina-Nasice Local Railway Company, Ltd., under Article 304 of the Treaty of Trianon.*

The Committee of Experts appointed by the Advisory and Technical Committee to enquire into this question had the impression, in 1934,<sup>1</sup> that a friendly arrangement might be reached and invited the parties to negotiate. It proved impossible, however, to come to an agreement. Accordingly, on November 1st, 1935, the applicant company made a further request to the League for the appointment of arbitrators by the Council. The Committee of Experts therefore met on December 13th, 1935, to resume consideration of the question. In the light of the information received during the meeting, the Committee concluded that the state of the negotiations between the parties, which had just been resumed, was such as to hold out a prospect of a friendly agreement in the near future, and it accordingly decided to suspend consideration of the question.

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<sup>1</sup> See the Annual Report for 1934 (document A.6.1934), page 64.

## X. LEAGUE WIRELESS STATION.

The annual report on the working of the League wireless station from January 1st to December 31st, 1935,<sup>1</sup> mentions that, during the year, the Information Section introduced a weekly broadcast bulletin to Australia.

A regular weekly bulletin is now also broadcast in three languages (English, French and Spanish) to European and oversea countries, on medium- and short-wave-lengths. This was started in September 1935.

Since October 1935, the Secretary-General has been broadcasting official *communiqués* on the Italo-Ethiopian conflict to the Governments of States Members, most of which have successfully received the broadcasts.

The statistics of the wireless station show that there has been little change in the amount of private traffic, though it has declined slightly, most probably owing to the slump and the popularity of telegrams at reduced or half rates. All the same, private traffic accounts for about 76% of the total traffic and 76.5% of the receipts.

The statistics and graphs also reveal that Press and Government telegrams have increased considerably owing to political developments (the conflict between Bolivia and Paraguay at the beginning of 1935, and the Italo-Ethiopian conflict at the end of the year).

The total receipts in 1935 were 360,139.25 Swiss francs, as compared with 324,842.41 in 1934, and the expenditure was 361,604.88 Swiss francs, as compared with 381,589.07. Owing to the increase in official and Press traffic and the considerable reduction in working expenses, the deficit for 1935 was only 1,465.63 Swiss francs, as against 56,746.66 in 1934. The net receipts from wireless telephone messages were 30,096.54 Swiss francs in 1935, as compared with 22,067.88 in 1934.<sup>2</sup>

Work is in progress on the technical improvements mentioned in the previous report,<sup>3</sup> but has been considerably delayed by unexpected difficulties in connection with the purchase of the necessary ground by the Radio-Suisse Company.

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<sup>1</sup> Document A.14.1936.VIII.

<sup>2</sup> Document A.6.1935, pages 85 and 86.

<sup>3</sup> Document A.6(a).1935, page 33.

8.

HEALTH QUESTIONS.<sup>1</sup>

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I. INTER-GOVERNMENTAL CONFERENCES.

1. *Inter-Governmental Conference on Biological Standardisation.*

This Conference, which, on January 19th, 1935, the Council had decided to convene, met at Geneva from October 1st to 4th, 1935. Twenty-four countries and the Office international d'Hygiène publique sent representatives.

The purpose of the Conference was to complete the work done by the League of Nations in the matter of biological standardisation and to consider what steps should be taken to give it practical effect.

With this end in view, the hope was expressed that the use of the twenty-five international standards established by the Health Organisation (sera, glandular extracts and other therapeutic agents, and vitamins) would be made compulsory in the various countries. The Conference further recommended :

(a) That each country should have a national centre, or centres, recognised by the competent authority to take charge of the international standards and corresponding national standards ;

(b) That every such centre should have a qualified staff to control the application of the international standards in its own country and thus to serve as a recognised national scientific authority in this field.

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<sup>1</sup> In commenting on the work of the Health Organisation, the Rapporteur to the 1935 Assembly said that one of its main features was its continuity. This should be recalled at the outset of this chapter, which deals with the Organisation's work during 1935-36 but forms part of a regular series of annual reports, as what has been said in previous reviews of the Organisation's permanent activities (Epidemiological Intelligence Service, permanent commissions, liaison between Health Administrations, etc.), will not be referred to again here.

On January 23rd, 1936, the Council decided to communicate the above recommendations to the various Governments, requesting information as to any steps they had taken, or might be taking, in order to give effect to them. The replies so far received show that Governments are taking up the question seriously.

The international standards are at present distributed free of charge through the National Institute for Medical Research in London and the Danish State Serum Institute at Copenhagen, and the Conference asked the League to maintain the principle of free distribution by placing the necessary funds at the Health Organisation's disposal. The Council has referred this recommendation to the Supervisory Commission.

Since certain patents exist which are an obstacle to the standardisation of the streptococcus antitoxin (anti-scarlatina serum), the Conference asked that an attempt should be made to find some means of overcoming this difficulty. On the report of the Health Committee, the Council requested the Economic Committee to consider the matter, which the latter will no doubt do at its session in September 1936.

Lastly, the Conference recommended that further inter-Governmental conferences should be summoned periodically, at intervals not exceeding three years, in order to take account of the progress achieved in biological standardisation.

The report of the Conference was published in the *Quarterly Bulletin of the Health Organisation* in December 1935 and circulated to Governments.

## 2. *Pan-African Health Conference.*

This Conference, which, at the request of the Government of the Union of South Africa, the Council had, on September 26th, 1934, decided to convene, was held at Johannesburg from November 20th to 30th, 1935. Twenty Governments were represented; also the Health Organisation of the League, the Office international d'Hygiène publique, and the International Health Division of the Rockefeller Foundation. India sent an observer.

The Minister of Public Health, Mr. J. H. Hofmeyr, presided at the opening meeting. Sir Edward Thornton, Secretary for

Public Health and Chief Health Officer for the Union of South Africa, was appointed President. Dr. P. G. Stock, representing the Office international d'Hygiène publique, was appointed Vice-President.

The Conference considered the developments of research on yellow fever and plague since 1932 (the date of the first Pan-African Health Conference). Its recommendations also dealt with the prevention of malaria and typhus under African conditions, the typhoid-carrier problem among natives, the dangers associated with anti-locust-poisons and problems arising out of various animal diseases communicable to man.

The Conference also considered the organisation of health and medical services in the rural areas of Africa, and the importance, for the attainment of this object, of educating the natives. It further emphasised the need for improving their standard of living and the primary importance of a diet adequate both in quality and in quantity. The proceedings of the Conference showed that the African Health Administrations are becoming ever more alive to the necessity for co-ordinating their efforts. As one means to that end, the Conference suggests the organisation of exchanges of individual medical personnel between African countries. In particular, however, it has advocated the holding of further Pan-African Conferences and of more limited regional conferences prepared and convened at regular intervals by the Health Organisation.

The Council expressed its gratitude to the Government of the Union of South Africa for the generous hospitality extended to the Conference and took note of the Health Committee's intention to consider the means of bringing about the inter-African co-operation which the Administrations of that Continent deem desirable.

The Conference's report and its annexes constitute the March 1936 issue of the *Quarterly Bulletin of the Health Organisation*.

### 3. *Conference on Rural Hygiene in the Far East.*

In October 1935, the Health Committee decided that this Conference should take place in 1937 and asked its Bureau to make the necessary preparations. The latter decided to conform to the precedent of the European Conference on Rural Hygiene

(1931) and on January 17th, 1936, set up a Preparatory Committee composed of :

Mr. A. S. HAYNES, former Colonial Secretary for the Malay States ;

Prof. C. D. DE LANGEN, Honorary Dean of the Faculty of Medicine of Batavia ;

Dr. E. J. PAMPANA, Secretary to the Malaria Commission of the League.

This Committee sailed for Bombay on March 27th, 1936. Its mission, which was to last for about five months, included a visit to India and Burma, the Malay States, the Netherlands Indies, the Philippines, French Indo-China, Siam and Ceylon. In these countries and territories, where the Committee met with every assistance on the part of the authorities, its purpose was to get into touch with the Health Administrations concerned and to consider with them the problems with which the Conference could usefully deal. On the basis of its enquiries, it is to draw up the final agenda of the Conference, to decide upon the nature of the documentation to be laid before it and to settle any other similar questions. In conformity with a decision of the Health Committee, this agenda will include the study of nutrition among the populations of Asia.

The Netherlands Government was good enough to intimate that it would be glad to have the Conference held in the Netherlands Indies.

The agenda will be circulated before the end of 1936, so that the Administrations concerned may have sufficient time to prepare for their participation.

## II. MALARIA.

The year 1936 is an important one for the Malaria Commission, in view of the meeting of the Third International Congress on Malaria (Madrid, October 12th, 1936). The Health Committee decided that this would provide an opportunity for holding a meeting of such members of the Malaria Commission as would be attending the Congress.

The significance of these two events is enhanced by the fact that they will synchronise with the closing of a stage in the Commission's work. The investigations which it decided to



undertake in October 1934 are approaching completion — namely, those into the biological properties of the different strains of blood parasites and into the comparative efficacy of synthetic drugs and quinine in the treatment and prevention of malaria. The Health Committee accordingly decided in October 1935 that an account of the results of this research, which would also include some reference to recent scientific progress in the field of malaria, should be published at the time of the Congress. The Commission will therefore issue its fourth general report under the heading of “The Therapeutics of Malaria”; this will review, in the light of the Commission’s work, the present state of our knowledge of malaria treatment and prevention, and the practical lessons that may be derived therefrom.

The recent activities of the Commission on the therapeutics of malaria, on experimental pathology and immunity, on the relationship between the varieties of anophelines and malaria and on anti-malaria prophylaxis will also form the subject of detailed communications to be presented at the Third International Congress on Malaria.

As in former years the Commission arranged, with the assistance of the King Edward VII College of Medicine, its annual *course in malariology* at Singapore for the benefit of Far-Eastern malariologists (April 27th to May 30th). The course was followed by practical field studies in Malaya, the Netherlands Indies and French Indo-China. Twenty-one medical officers entered their names for this course, at which a number of distinguished specialists delivered lectures.

### III. STUDIES ON NUTRITION.<sup>1</sup>

In its resolution of September 25th, 1935, the Assembly invited the Health Organisation to continue and extend its work on the subject of nutrition in its relation to public health.

The Health Committee therefore decided, in October 1935, to set up a Technical Commission, under Professor Edward Mellanby’s chairmanship, with the following terms of reference :

- (a) To submit a first report to the Co-ordination Committee set up in accordance with the third paragraph of the Assembly

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<sup>1</sup> See also “Economic and Financial Questions”, page 116.

resolution of September 25th, 1935. This report would be the basis for the work to be carried out in co-operation by the technical organisations and international institutions mentioned in the above resolution ;

(b) To select such questions of practical importance as might usefully be studied internationally.

This Technical Commission met in London on November 25th, 1935. Its report<sup>1</sup> deals with the nutritional needs of the human being in the course of development from conception to adult age ; it lays down the physiological bases for rational nutrition and defines a diet adequate in regard both to quality and to quantity, allowing for expenditure of muscular energy and the requirements of growth. The report presents a list of nine questions for investigation, arranged in order of priority.

It was transmitted to the Mixed Committee<sup>2</sup> under Lord Astor's chairmanship.

The application, in practice, of the principles laid down in the report must, however, raise problems of differences of race, customs and living conditions. In the circumstances, therefore, a number of institutions in various countries have been consulted with a view both to eliciting their views on the general principles propounded and to securing their assistance in the investigation of the problems recommended for further study. They are :

<i>Belgium :</i>	Royal Academy of Medicine.
<i>United Kingdom :</i>	The Medical Research Council and the Ministry of Health, which has an Advisory Committee on this subject.
<i>Denmark :</i>	The Danish Committee on Nutrition.
<i>France :</i>	The Academy of Medicine.
<i>Italy :</i>	The Commission for the Study of Nutrition appointed in 1928 by the National Research Council.
<i>The Netherlands :</i>	The Academy of Sciences.
<i>Norway :</i>	The Norwegian Committee on Nutrition.
<i>Spain :</i>	The Academy of Medicine.
<i>Sweden :</i>	The Royal Committee on Nutrition (specially set up for this consultation).
<i>Union of Soviet Socialist Republics :</i>	The Scientific Research Council.
<i>United States of America :</i>	The National Research Council.

<sup>1</sup> See " Report on the Physiological Bases of Nutrition " (document C.H.1197).

<sup>2</sup> See page 117.

All the opinions so far received go to show that the importance of the report and of the continuation of the Commission's work has been recognised. The institutions consulted have allocated the subjects proposed for further study among the members (individuals or sub-committees) according to their relative importance to the country concerned and to their relevance to work already being carried out by the national health services and laboratories.

As all these studies were already sufficiently advanced, the Mellanby Commission met on June 4th, 1936, in order to take note of the lines on which the recommendations of the report could be followed out in the different countries and to arrange for the continuation of the studies. At its meeting in November 1935, the Commission had, in fact, stated that the report would be amplified later.<sup>1</sup> A second edition was accordingly prepared.

Certain points were dealt with more fully and more clearly by the Commission in its report, but no change was made in the fundamental recommendations. Calorie and protein requirements were, for example, more exactly estimated; the term "protective foods" was defined, and greater weight was laid upon the special nutritional requirements of mothers, infants and growing children, particularly during the period of puberty.

A further item — the optimum milk allowance for different ages — was added to the list of questions of which it requested the investigation.

Thus finally revised, the Commission's recommendations were embodied in the report which the Mixed Committee is to submit to the Assembly.

Among the questions to be studied there are three which are of particular importance for medical practice :

(a) Methods of determining the state of nutrition, in particular in children ;

(b) Nutritional requirements during early infancy ;

(c) The optimum milk allowance for different ages.

In April 1936, the Health Committee decided that the first two of these questions should be studied by experts (specialists in school medical inspection and paediatrists). On each of them, the Mellanby Commission has laid down the guiding principles

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<sup>1</sup> See document C.H. 1197, page 8.

to be deduced from its own recommendations. It has thus prepared the way for the proceedings of the Committee of Experts, which, as decided by the Health Committee, will probably be called together in the autumn of 1936.

The Mixed Committee has already considered the possibility of extending its studies to continents other than Europe and North America (nutrition of Asiatic and African peoples).

At its session in February 1936, it noted the measures taken by the Health Organisation in this connection.

It has been mentioned above<sup>1</sup> that the question of Nutrition has been placed on the agenda of the Rural Hygiene Conference to be held in the Far East and that the Preparatory Committee is making a preliminary enquiry into the possibility of studying nutrition in that part of the world. The subject will also be included in the agenda of the next regular session of the Far-Eastern Association of Tropical Medicine (1938). In Africa, the Pan-African Health Conference (November 1935) placed on record its interest in the study of nutrition and the Health Committee has therefore decided to consult the Governments concerned with a view to organising the investigations to be undertaken.

#### IV. ENQUIRY INTO POPULAR NUTRITION IN CHILE.

The preliminary enquiry entrusted to Dr. Etienne Burnet and Professor C. Dragoni was concluded at the end of 1935.<sup>2</sup>

During his visit to Chile, Dr. Burnet drew up a plan for a medical enquiry with the object of procuring evidence as to the state of nutrition of the population from infancy to adult age. This enquiry was also to include an experiment in the supplementing of diet, particularly by the distribution of milk in schools.

Professor Dragoni organised an extensive enquiry into dietary conditions among the Chilean population. The purpose of this enquiry, which was conducted through the local health services, was to ascertain the expenditure by families on food and the principal articles of current consumption.

<sup>1</sup> See page 146.

<sup>2</sup> See previous annual report (document A.6.1935, page 90).

In April 1936, the Health Committee decided to refer Dr. Burnet and Professor Dragoni's report to its Technical Commission on Nutrition, requesting it to consider the results of the enquiry. This was done at its meeting held in June 1936.

Having heard the two authors of the report on the object, methods and results of their enquiries, the Commission drew up a technical opinion for the guidance of the Health Committee. After referring to its interest in the observations made in Chile and its desire to be acquainted with any further developments and results, the Commission declared its readiness to give the Chilian Government any technical advice which it might desire in regard to the enquiries mentioned in the report.

The Chilian Government has asked to be informed of the results of the enquiry at the earliest possible moment.

The experts are now engaged in drafting the report which contains their recommendations. It will be submitted to the Economic Committee and the Health Committee in accordance with the Council's decision of May 9th, 1932, by which the Chilian Government's request was originally referred to those two bodies.

## V. STUDIES ON URBAN AND RURAL HOUSING.

The first stage of the Health Organisation's investigations in this matter opened in 1935. Preliminary documentation was collected, supplied by the national administrations of the United Kingdom, Czechoslovakia, France, Italy, the Netherlands, Poland and Sweden. This documentation indicated the urgency of the problem and its repercussions on health as well as on social and economic welfare.<sup>1</sup>

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<sup>1</sup> Part of it has been published, namely :

" La question de l'habitation urbaine en FRANCE ", par Etienne Dennery, professeur à l'Ecole libre des Sciences politiques (Paris) (document C.H.1165— French only) ;

" The Housing Policy in the NETHERLANDS ", by H. van der Kaa, General Inspector of Health, The Hague (document C.H.1165(a)) ;

" Rapport sur les habitations populaires et économiques en ITALIE ", par le Service technique central du Conseil supérieur du Ministère des Travaux publics d'Italie (document C.H.1165(b))— French only) ;

" La question de l'habitation urbaine en POLOGNE ", rédigé sous la direction de Jan Strzelecki, directeur de la Société des habitations ouvrières (document C.H.1165(c)) — French only).

In October 1935, the Health Committee set up a Committee to examine the whole of this material and to draw up a plan of technical studies which the Health Organisation might usefully undertake. This plan was completed at the end of 1935 and in January 1936 was placed before the Council with full suggestions as to the best means of carrying it out. The plan, which included the general health problems associated with urban and rural housing and town and rural development planning,<sup>1</sup> aroused great interest among the technical institutions and organisations to which it was submitted.

In order to prepare the ground for the execution of the plan, national Commissions were created in a number of countries, including the United Kingdom, France, the Netherlands, Poland, Spain, Sweden, the Union of Soviet Socialist Republics and the United States of America. Czechoslovakia also intimated its intention of taking part.

In the *United Kingdom*, Professor Jameson, Dean of the London School of Hygiene and Tropical Medicine and member of the Housing Commission, invited to a meeting a number of institutions at present engaged in the study of different problems relative to the hygiene of housing. After discussion, it was decided to create a Commission for the collection of information on these problems. The organisation of a centre of co-ordination and information, grouping various scientific and technical organisations, as well as a number of industrial groups, is at present under consideration.

In *France*, a National Commission has been set up by the Ministry of Public Health, under the chairmanship of Professor Parisot. This Commission has already met a number of times, has set up sub-commissions and appointed rapporteurs, each of whom has drawn up the outline of his report.

In the *Netherlands*, the Dutch Centre for research of applied natural sciences (T.N.O., The Hague) proposes to create a central commission in order to co-ordinate the various investigations, including some already partially dealt with by Commissions or other organisations.

In *Poland*, a National Commission was appointed at the close of 1935 under the chairmanship of Minister Chodzko,

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<sup>1</sup> Document C.H./Comm. Hab. 1.

Director of the National School of Hygiene. A number of rapporteurs have been nominated.

In *Spain*, a National Commission has been created under the chairmanship of Professor G. Pittaluga.

In *Sweden*, Dr. J. Axel Höjer, Director-General of the Swedish Public Health Service and member of the Housing Commission, has set up a National Commission.

In the *United States of America*, a National Commission has been set up on the initiative of Dr. C. E. A. Winslow, Professor of Hygiene in the Medical School of Yale University, New Haven, and with the approval of Surgeon-General Cumming, under the auspices of the American Public Health Association.

These National Commissions and organisations will prepare and submit to the Health Organisation's Commission :

(1) A review of the experience gained in each country with respect to the subjects set out in the plan—*i.e.*, comfort and health in connection with housing, building materials (dampness, transmission of heat, sound-proofing, protection against vermin), heating and cooling, ventilation, lighting and orientation, density of the population, smoke and dust, noise, types of urban and rural houses, work done in connection with town and rural development planning, legislation and inspection of dwellings ;

(2) An enumeration of institutions, laboratories and other technical organisations interested in the above subjects ;

(3) Reports on recent national progress ;

(4) An outline of the problems already studied and suggesting comparative studies which might eventually be undertaken on an international basis.

The various national groups have undertaken to collect detailed information which will cover almost every point of the plan. In many cases, the work has already reached an advanced stage.

The arrangements outlined above should result in practical and constructive co-ordination. The practitioner, the hygienist, and the various experts will co-operate in laying down a common set of agreed principles and their practical application will be ensured by the different technical and industrial organisations concerned.

As contemplated in the plan of studies, the collection of material and the preparation of the national reports will be

concluded at the end of 1936, and it is proposed to submit them to a Conference of Experts.

In order to arrange for a practical demonstration of the conclusions reached in regard to the rural housing and rural development, the Health Committee hopes to utilise the International Exhibition on Rural Housing which is to be held in 1937.

## VI. EASTERN BUREAU AT SINGAPORE.

The Bureau is steadily going forward with the improvement of its system of epidemiological intelligence. All ports on the East-African coast are now able to receive its broadcast messages, with the exception of British Somaliland. The latter, however, receives the communications by cable from Singapore to Aden and from Aden to Berbera.

The number of countries supplying regular information to the Bureau is thirty-five, covering a total of 186 ports, twenty-six being in Africa, 109 in Asia, forty-nine in Australasia and two in America. On the basis of this information, the Bureau's weekly *Fasciculus* is able to publish data concerning the main pestilential diseases as well as minor infectious diseases. A brief account of the situation in Eastern ports is also included in the *Fasciculus* each quarter.

The annual report submitted to the Advisory Council by the Director of the Bureau contains a full and detailed epidemiological survey of the countries and territories within the area of the Bureau.<sup>1</sup>

The Bureau's Advisory Council met at Singapore from January 15th to 17th, 1936. It took note of the arrangements for the Far-Eastern Conference on Rural Hygiene, and its members undertook to give all possible assistance to the Preparatory Committee when the latter visited their countries. The Bureau had already collected for the use of the Committee detailed documentation on rural hygiene in Far-Eastern countries.

The serious danger of yellow fever being imported into the East continues to engage the attention of the Advisory Council. It noted with satisfaction the decisions adopted by the Office

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<sup>1</sup> Document C.H.1206.



international d'Hygiène publique in regard to measures that should be adopted in all suspected regions of Africa, to discover at the earliest possible moment those in which the disease actually exists.

The International Course in Malariology organised for the benefit of Eastern Health Administrations was, as in former years, held at Singapore from April 27th to May 30th, 1935.<sup>1</sup>

The Bureau was represented by its Director at the Second International Southern Pacific Health Conference held at Sydney from September 3rd to 6th, 1935. This Conference provided an opportunity for establishing closer co-operation with the administrations of the Southern Pacific, particularly in regard to epidemiological intelligence. The Bureau's representation at the Conference was of value with regard to the problems facing the Health Administrations of this area — namely, native medical education and nutritional deficiencies.

In taking note of the Bureau's work, the Health Committee (April-May 1936) recalled that the Health Organisation is compelled to meet a large deficit left in the budget of the Bureau after receipt of the contributions of certain Eastern countries which are more particularly interested in its operation. It requested the Council to invite these countries to make a regular yearly contribution towards the expenses of the Bureau, or, if they already do so, to consider the possibility of increasing the amount.

## VII. INTERNATIONAL CENTRE FOR RESEARCH ON LEPROSY.<sup>2</sup>

After the death, on November 8th, 1934, of Professor Carlos Chagas, who had created the Centre and was appointed its Director, the Governing Body nominated as his successor Professor Eduardo Rabello, Professor of Dermatology at the Medical Faculty of Rio de Janeiro (October 1935).

At the same time, in conformity with the statutes of the Centre, the Governing Body forwarded to the Brazilian

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<sup>1</sup> See in this connection, page 147 of the present report.

<sup>2</sup> See the Administrative, Technical and Financial Report by the Director of the Centre, approved by the Committee of Management at its meeting on September 5th, 1935 — Annex III to the Report to the Council on the Work of the Twenty-second Session of the Health Committee (document C.426.M.218.1935).

Government and to the States Members of the League the first administrative, financial and technical report on the work of the Centre.

The latter has taken in hand the programme of work contained in the report. An epidemiological enquiry is now in progress in Brazil with a view to bringing to light all cases of leprosy. The Section of Bacteriology and Immunology is carrying out experiments with leper sera. Other laboratory investigations deal with tubercular leprosy, the biochemical analysis of lepers' blood and the ætio-pathology of leprosy.

The Centre's activities are, however, chiefly concentrated on drug treatment. The Chemistry Section, to which an expert of the Health Organisation has been attached — Dr. H. H. Cole, former chemist of the Leper Colony of Culion (Philippine Islands) — has manufactured some 250 litres of various remedies prepared from chaulmoogra oil, which have been distributed among the leprosaria of Brazil, Argentine, Colombia and Uruguay. The Centre uses these drugs itself in treatment experiments which are being carried out at the leper colony of Curupaity.

The Centre receives unstinted assistance from the Federal Administration of Public Health of the United States of Brazil, the Oswaldo Cruz Institute and the Department of Leprosy Prevention of the State of São Paulo. With their aid, it is proposed to organise an international course on leprology.

The first number of the *Revista Brasileira de Leprologia* was published in April 1936 under the auspices of the Centre and with the assistance of the São Paulo Society of Leprology.

The Committee of Management has asked the Health Committee to appoint a second expert in bacteriology and immunology to work at the Centre. The Bureau of the Health Committee has been requested to take the necessary steps for this purpose.<sup>1</sup>

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<sup>1</sup> For all the questions dealt with in this chapter, see also the Council reports on the sessions of the Health Committee: Report to the Council on the Work of the Twenty-second Session of the Health Committee, held in Geneva from October 7th to 14th, 1935 (document C.426.M.212.1935.III); Report to the Council on the Work of the Twenty-third Session of the Health Committee, held in Geneva from April 29th to May 2nd, 1936 (document C.198.M.124.1936.III).

9.

TECHNICAL CO-OPERATION  
BETWEEN THE LEAGUE OF NATIONS  
AND CHINA.

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The report <sup>1</sup> by the late M. Robert Haas, as Secretary of the Council Committee, on his mission in China was published in October 1935. The object of that mission was to enable the Secretary-General to take such action as might be desirable to continue and develop co-operation between the League and China.

The report describes the impressions gathered by the author both at the seat of Government at Nanking and during a tour through a large number of provinces, and sets forth his general conclusions. Finally, it indicates the fields likely to be chosen for co-operation with China in the near future — the road system, hydraulic works, co-operative development, public health, and technical development in agriculture and industry. Nevertheless, the author adds, “within the scope of the resolutions of the Assembly and the Council, the technical organisations of the League would be at the disposal of the Chinese Government in any field of work and for any help which might be within their competence, whether they be called upon to submit to the Chinese Government candidatures of foreign specialists whom the Chinese Government might desire to engage in its services by this particular method, or whether their services might be utilised to facilitate the work of Chinese specialists sent on a mission or detached abroad for a particular technical study or work”.

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<sup>1</sup> Document C.410.M.206.1935.

### *Training of Experts.*

For the complex task of Chinese reconstruction, which has been pursued so energetically and at such great expense by the Chinese Government for some years past, experienced officials and technicians acquainted with the latest developments in their particular branches abroad are obviously needed. The Government is accordingly most anxious that as many young doctors, engineers, economists, etc., as possible, who are already practically familiar with their professions, should be given opportunities of visiting other countries so that they may benefit by the latter's experience and learn the methods employed in dealing with problems identical with or similar to those with which they will themselves be faced in China.

At the Council Committee's last session (March 1936), the representative of China drew attention to what he considered an imperative necessity — the training of a large staff of highly qualified experts, who are indispensable to carry out urgently needed reforms in a country as huge as China. The Committee agreed that the despatch of Chinese technicians on missions or tours of study abroad came within the scope of technical co-operation between the League and China. The help of the League's technical organisations must therefore be enlisted, so that the missions or tours may be carried out under the most favourable conditions and with the greatest benefit to the participants.

It has accordingly been arranged that the League shall contribute towards the expenses, in the following manner. A number of Chinese technicians will be attached, for the duration of their mission, to the appropriate technical sections of the Secretariat, and will thus be under the Secretary-General's authority. The sections concerned will draw up an annual programme based on the Chinese Government's proposals to the Secretary-General, and limited only by the funds available. This scheme will be initiated in the present year, a few doctors being the first beneficiaries.

The Chinese Government also asked the Secretary-General to endeavour to induce the appropriate administrations of each of three or four countries to receive one Chinese engineer already possessing some experience of hydraulic works. These engineers will be incorporated for two or three years in the national

staff, as unpaid supernumeraries, supplementing their knowledge and benefiting by local experience. They will have opportunities of seeing for themselves how the river conservancy and irrigation works are organised, while continuing their studies at the special schools in the countries in which they are living.

The Secretary-General at once took steps to enable the Chinese Government to carry out this idea. His efforts have met with the warmest response from foreign Governments. The scheme will cost the League nothing.

### *Agriculture.*

It is only natural that agriculture, by which the vast majority of the Chinese people live, should continue to be one of the chief concerns of the Chinese Government and the National Economic Council. Various steps have accordingly been taken to develop the sources of agricultural products such as silk and tea, for which China has long been famous, and others, such as cotton and live-stock, which, if circumstances are favourable, can considerably reduce her economic burdens and raise the general standard of living. Evidence of the strenuous efforts that the National Economic Council is making to find solutions for these vital problems can be found in all its reports.

Special mention should be made of the problem of agricultural co-operative societies, which have made rapid strides during the last few years. The Chinese Government recognised their value, but felt that they should be encouraged to develop along the lines suggested by the experience of other countries, and accordingly decided to obtain the services of a first-class specialist. The League was approached, and suggested Mr. Campbell, who had done excellent work in this field in Ceylon. Mr. Campbell was engaged for a mission which began in September 1935 and should last several years if the results are to be really satisfactory.

Wishing to develop and radically improve the silk industry, the Chinese Government decided to engage an expert on sericulture. This expert, M. B. Mari, has been in China since the autumn of 1932, acting as technical adviser on the subject to the National Economic Council. On January 1st, 1934, he became an official of the Chinese Government.

*Communications and Transit.*

Co-operation between the Transit Organisation and the Chinese Government has progressed satisfactorily. Since 1932, an engineer, M. Bourdrez, has been attached to the Government as local representative of the Communications and Transit Organisation. He is devoting most of his attention to hydraulic questions.

The representatives of the Communications and Transit Organisation in China have continued to co-operate with the Government and to advise it on their respective subjects, especially roads and hydraulic works and the co-ordination of the various schemes that are being carried out in China. The group of experts on hydraulic and road questions sent to China in 1935 at the Government's request has drawn up a report,<sup>1</sup> based on its own observation and the abundant material collected. Early in 1936, the report was forwarded to the Chinese Government, which now has a programme to work on for the future.

This voluminous general report has been based on drafts prepared by the individual experts in charge of the various problems. These were as follows : improvement works on the Hwai River and on the water courses of Northern China ; works on the Fen Ho ; improvements proposed on the Hsio Ching Ho ; improvement of the course of the Yellow River ; the Kuang Ting reservoir on the Yung Ting Ho ; certain problems connected with the Yang-Tse Kiang ; problems of the hydraulic system of Shensi ; irrigation problems in Suiyuan ; the road problem and road communications in China.

As the outcome of this mission of experts, and with a view to co-ordinating the various recommendations more effectively on the spot and making it easier for the Chinese authorities to apply them in practice, the Chairman of the Advisory and Technical Committee for Communications and Transit sent one of the experts, M. Coursin, Chief Engineer of the French Administration of Bridges and Highways, Director of Public Works in Madagascar, to China on a mission for several months, as the Transit Organisation's representative attached to the Chinese National Economic

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<sup>1</sup> Document C.91.M.34.1936.VIII.

Council. M. Coursin is at present carrying out this mission, devoting special attention to road questions and road transport.

### *Public Health.*

In undertaking reconstruction work in the field of public health, with the help of the Health Organisation, the Chinese Government's primary aim was to establish a central organism consisting of the National Health Administration, the Central Applied Hygiene Station, the Nanking Central Hospital, the Central Laboratory of Hygiene, the Central School of Nursing, the Central School of Midwifery, and the Nanking Municipal School of Hygiene. This organism is now firmly established. It forms at one and the same time a central administration, whose duty it is to regulate and administer public health, a centre of technical studies, and a school for the training of health officers.

The Government is now concentrating chiefly on providing better facilities in the interior.

For this purpose, the National Economic Council is making use of the services of one of the Health Organisation's experts, Dr. A. Stampar, Honorary Director of Public Health in Yugoslavia and a former member of the Health Committee. Dr. Stampar is studying the medical and sanitary equipment of the provinces. He has investigated the situation on the spot and is now engaged in drawing up schemes of organisation and supervising their execution. The provinces so far covered are Kansu, Hunan, Kiangsi, Shensi and Shansi, Yunnan, Szechwan and Fukien.

Up to December 31st, 1934, Dr. B. Borcic, Director of the Zagreb Institute of Hygiene, had been attached to the Central Health Authorities of China as representative of the Health Organisation. On July 26th, 1935, the Chinese Government asked that his mission should be renewed. Dr. Borcic took over his duties on May 1st, 1936. He devotes most of his time to co-operating in the work of the Central Applied Hygiene Station, one of whose most important functions is to train the officials of the health services (medical officers of health, public health nurses, sanitary engineers and sanitary inspectors, midwives, etc.). It also organises research work in its laboratories in bacteriology, pharmacology, etc.; carries out, on behalf of the central

administration, certain practical work such as bacteriological, serological, and pathological examinations ; analyses and inspects water, biological products and patent medicines ; organises water supplies, hospital administration, health propaganda, etc.

Under the plan of collaboration between the Chinese Government and the Health Organisation, the latter is continuing to give the Chinese Health Administration the facilities of its liaison system. During the last quarter of 1935, the Shanghai Commissioner of Public Health, was thus able to study the municipal administration of public health in several large European cities. For 1936, the Chinese Administration has proposed the following missions :

Mission of the Dean of the Kiangsi Provincial Midwifery School : to study maternity and child health and welfare ;

Mission of the Assistant Superintendent and Surgeon-in-Chief of the Central Hospital : to study hospital administration ;

Mission of the Director of the National Epidemic Prevention Bureau : to study the manufacture of vaccines, sera, and other biological products.

The Chinese Administration has also selected one of its members to attend the malariology course at Singapore.

In accordance with the arrangements approved by the Council Committee for China in March 1936, these experts will be attached to the Secretariat. Under the guidance of a member of the Health Section, they will study collectively for six months in certain European cities.

An expert attached to the *Anti-Epidemic Bureau* of Mongolia and Suiyen will study methods of combating plague in certain special institutes in India and the Netherlands Indies.<sup>1</sup>

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<sup>1</sup> The co-operation of the League with China in intellectual matters will be dealt with in Part II of this report, to be published early in September 1936.



10.

SOCIAL QUESTIONS.

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I. Protection and Welfare of Children and Young People.

A. TRAFFIC IN WOMEN AND CHILDREN COMMITTEE.

The Traffic in Women and Children Committee met for its fifteenth session from April 20th to 27th, 1936, and the Committee's report was communicated to the Council on May 13th, 1936.<sup>1</sup> The Council noted the report and authorised the Secretary-General to give effect to the Committee's recommendations.<sup>2</sup>

1. *Ratification of Conventions.*

Since the last session, Nicaragua has become a party to the International Convention for the Suppression of the Traffic in Women and Children of 1921 ; Australia, Estonia and the Union of Soviet Socialist Republics have become parties to the International Convention for the Suppression of the Circulation of and the Traffic in Obscene Publications of 1923 ; and the following States have become parties to the Convention for the Suppression of the Traffic in Women of Full Age of 1933 : the Union of South Africa, Czechoslovakia, Hungary, Latvia, Netherlands (Netherlands Indies, Surinam and Curaçao), Nicaragua, Norway, Roumania.

2. *Rehabilitation of Adult Prostitutes.*

In 1935, the Committee had considered a preliminary report on an enquiry into direct methods of prevention and rehabilitation and had framed a questionnaire, based on suggestions made

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<sup>1</sup> Document C.204.M.127.1936.IV.

<sup>2</sup> See *Official Journal*, June 1936, page 550.

in the course of its discussions, with a view to the continuation of this enquiry. In 1936, the Committee had before it an extensive report<sup>1</sup> on this question in four parts, with an addendum submitted by the Rapporteur, Mr. S. Cohen, Secretary-General of the Jewish Association for the Protection of Girls, Women and Children. This second stage of the enquiry was confined to the rehabilitation of adult prostitutes. In discussing the report, the Committee had the valuable assistance of two experts — Dr. Cavaillon, Secretary-General of the Union internationale contre le péril vénérien, Paris, and Dr. Kemp, of the University Institute, Copenhagen.

Among the points the Committee specially noted were the difficulties arising out of domestic service, as well as the fact that illegitimate birth is no longer as great a contributing factor in leading women into prostitution as has been assumed, although the social and economic difficulties consequent upon having an illegitimate child still constitute an important contributing factor. It was observed also that a considerable percentage of these women had left school below the normal school-leaving age of their respective countries, that they showed a readiness to frequent change of occupation, that the home background of a considerable proportion was more unsatisfactory from the moral than from the material point of view, and that rather more than half of the women had been assessed by the investigators concerned as being of normal intelligence. This point gave rise to discussion on the need for a psychological and psychiatric study of prostitutes at an early stage and for a system of care of the feeble-minded and insane which should result in reducing the number of such cases among prostitutes.

As regards the establishment of social services at the centres for the treatment of venereal disease, the Committee recognised that this represented a new line of social activity which had already had considerable success in connection with rehabilitation in certain countries. The Committee was of opinion that the attention of health authorities should be drawn to this point and that the institution or extension of such service would be desirable. The Committee also gave consideration to problems

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<sup>1</sup> Document C.T.F.E.679. I, II, III, IV and Addendum.

relating to institutional training and individual care and to the general question of the respective rôles of public authorities and voluntary effort. General agreement was expressed with regard to the obstacles in the way of rehabilitation, such as the activity of the *souteneur* and the system of regulation where it exists.

The general outline of the report was approved and the Committee agreed that a final report or reports on the question dealt with by the two previous stages of the enquiry should be submitted next year.

### 3. *Suppression of the Exploitation of Prostitution.*

In January 1936, a Sub-Committee of the Traffic in Women and Children Committee drew up a preliminary draft multilateral convention for the suppression of the exploitation of prostitution.<sup>1</sup> At its April session, the Traffic in Women and Children Committee decided to ask the Council to recommend Governments to conclude an international convention on the subject, based on the principles of the laws in force in abolitionist countries. Being anxious, however, to secure as many accessions to the convention as possible, the Committee thought it necessary to provide an opportunity for those States which still maintain the regulation system to make reservations with regard to the provisions of this convention.

At its session in May 1936, the Council decided to send the draft convention to the States Members and non-members of the League for their observations and to place on the agenda of the next Assembly the question of the conclusion of an international convention for the suppression of the exploitation of prostitution.

### 4. *Conference of Central Authorities in the East.*

The 1935 Assembly decided that, the chief purpose of this Conference being the establishment of closer co-operation and fuller exchange of information between the authorities in the East, it could only usefully take place in the East itself; and that the beginning of 1937 was the most suitable date for the

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<sup>1</sup> Document C.204.M.127.1936.IV, page 12.

holding of the Conference. The Assembly instructed the Secretary-General to make all the necessary preparatory arrangements in consultation with the Governments concerned.

The Secretary-General approached the interested Governments with regard to the manner in which the Conference was to be constituted and the subjects to be discussed. In the light of the answers received, of information given orally by Governments to the Traffic in Women and Children Committee, of the discussion which took place in that Committee and of subsequent information received by the Secretariat, the situation with regard to this Conference is now as follows.

Of the twelve Governments approached, all except one have indicated their position. The United Kingdom (in agreement with the Governments of Hong-Kong and the Straits Settlements), China, France, Japan, Portugal, the Netherlands and Siam are in favour of holding the Conference; the United States Government, which had originally accepted the invitation to take part in the Conference officially, will be represented instead by an observer. The Governments of Iran, Iraq and India have informed the Secretariat that they are unable to participate in the Conference, the Indian representative pointing out, however, that he would fully inform his Government of the views expressed as to the necessity for India to be represented, and would urge the importance of at least an observer being sent to the Conference. The Government of Afghanistan has not yet stated its position.

February 1937 is considered the most suitable date by the majority of the Governments concerned.

The Netherlands Government invited the Secretary-General to hold the Conference in Bandoeng, Java. The Traffic in Women and Children Committee was informed by the United Kingdom delegate that the Government of Hong-Kong would also have been glad to offer the Conference its hospitality. At its ninety-second session, the Council joined with the Committee in thanking the Netherlands Government for its invitation.

As regards the agenda of the Conference, general agreement has been reached. The following are the chief subjects to be dealt with :

    Closer collaboration and wider exchange of information between the police and other authorities in the different

countries who are responsible for measures concerning the prevention of traffic in women and children in the East ;

Closer collaboration between police and other authorities and private organisations ;

Migration, in so far as this question affects the protection of migrants against traffic in women and children ;

Possibility of employing a larger number of women officials by the authorities responsible for the welfare of women and children ;

Possibility of abolishing licensed or tolerated brothels in the East ;

Problem of women refugees of Russian origin in the Far East who have become or who are in danger of becoming victims of the traffic.

Most of the Governments were of opinion that the participation of private organisations and missions would be an advantage. The Japanese Government, however, expressed the view that, for purely practical reasons, the Conference should consist only of Government delegates. A similar attitude was taken by the Government of Ceylon.

The Council decided at its ninety-second session on May 13th, 1936, that the participation of voluntary organisations or of missions should be of an advisory or consultative character.

##### 5. *Position of Women of Russian Origin in the Far East.*

The Assembly, at its fifteenth session, approved a resolution authorising the Secretary-General to endeavour to secure the services of a competent person, preferably a woman, who could act as an agent of the League of Nations for the purpose of encouraging and co-ordinating efforts to improve the position of women of Russian origin who are engaged or likely to become engaged in prostitution. The Assembly stipulated that this appointment should not involve any financial charge upon the League. Since this resolution was adopted, efforts have been made in different parts of the world to collect funds which will enable the Council to appoint a League agent. At the meeting of the Traffic in Women and Children Committee, several Assessors reported on these voluntary efforts. It is understood that this collection of sufficient funds constituted an indispensable condition for the appointment of an agent by the Secretary-General.

## 6. *Annual Reports on Traffic in Women and Children and on Obscene Publications.*

Twenty-seven countries have in 1936 reported on traffic in women and children for the year 1934/35. This constitutes a slight improvement compared with the situation in previous years. In the Traffic in Women and Children Committee, the question of rearranging the questionnaire on traffic in women and children was raised and it was pointed out that a lack of comparability of the answers was still obvious from the replies received. The new questionnaire, which is the basis of the answers from the Governments, having been approved in 1931 and first utilised for the answers of the Governments in 1932, it was agreed that one more year's experience was desirable before new changes could be suggested. The members of the Committee were requested to send suggestions with regard to the revision of the questionnaire by November 1st, 1936. It was generally recognised that the Committee should give closer attention in future to the examination of the Summary of Annual Reports on Traffic in Women and Children and on Obscene Publications, as they still constituted the basis of the work of the Committee.

## 7. *Abolition of Licensed Houses.*

The Egyptian Government informed the Secretariat that the Commission of Enquiry into the Problem of Licensed Prostitution in Egypt had prepared a report. The proposals it contains had been approved by the Egyptian Government and the necessary measures were being taken to put them into effect.

The Japanese Government informed the Secretary-General that licensed prostitution had been abolished in the Nagasaki Prefecture since July 7th, 1934, and in the Aomori Prefecture since December 22nd, 1934. The number of prefectures in which licensed prostitution had been abolished was now five — namely, Gunma, Saitama and Akita, in addition to the two prefectures already mentioned.

The Roumanian Government reported that, in application of the Health Law of 1930 providing for the abolition of licensed houses, the necessary steps had been taken by the Roumanian authorities for the closing of such houses.

## B. Child Welfare Committee.

The Child Welfare Committee held its twelfth session at Geneva from April 27th to May 2nd, 1936. Its report<sup>1</sup> was communicated to the Council on May 13th, 1936.

The Council took note of the report and authorised the Secretary-General to give effect to the Committee's recommendations.<sup>2</sup>

The chief subjects discussed by the Committee were :

### 1. *Boarding-out of Children in Families.*

When the Committee first placed this question on its agenda, it regarded it as part of the general systematic enquiry into the treatment of young offenders and children in moral danger. During its twelfth session, however, after examining the material supplied by Governments and women's associations, the "Save the Children" International Union, and the Rapporteur,<sup>3</sup> the Committee came to the general decision that the question of the boarding-out of children in families should be treated separately from the problem of erring or delinquent children.

It also considered that the enquiry had not yet reached its final stage, and that, having regard to the suggestions made by the Rapporteur, it would be advisable to re-examine in greater detail the material to hand, especially that relating to methods of administration and current practice. The Committee has consequently not reached any conclusions this year. It is agreed, however, upon the following broad principles :

1. Placing in foster-homes, whether boarding out or placing in family homes of other types, is a valuable means of providing the normal experience of home and community life for children whose own parents are unable to care for them. It should never be resorted to for reasons of poverty alone, or solely because the child is illegitimate. It is a method of care which should be applied only after it is clearly shown that for the child to remain in his own home or with his mother is not conducive to his welfare or to that of society.

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<sup>1</sup> Document C.204.M.127.1936.IV.

<sup>2</sup> See *Official Journal*, June 1936, page 553.

<sup>3</sup> Documents C.P.E.515, 516 and 514.

2. All child-placing agencies should make provision for the complete study of the child they are placing and of the environment from which he has come, as well as of the home in which he is to be placed. Such information is essential in achieving the successful adjustment of the child to his foster family. Each child must be dealt with as an individual who is distinct in his endowment, character, personality and capacity for full development.

3. Supervision by competent workers should be provided for the child in the foster-home, and care should be taken to afford him the fullest opportunity for healthy development and for sound education, and to give him an adequate training for earning a living.

The Committee also laid down certain guiding principles for the work to be undertaken prior to the discussion of the question at its next session.

## 2. *Cinematograph.*

This question was approached from two different angles: the cinema as a recreation for young people, and co-operation between the Child Welfare Committee and the Educational Cinematographic Institute.

In 1934, when the Committee decided to study the recreational aspect of the cinema for young people, the members and assessors of the Committee were asked to collect preliminary information from the countries and international organisations they represent. The headings included the age of admission, frequency of attendance, the effect on mentality, special performances, the types of films which appeal to children, and the provision of special films.

In 1935, when the Committee examined the material collected, it decided to enlarge the scope of the enquiry by sending the questionnaire to all Governments Members of the League. The information received was to be submitted to the Educational Cinematographic Institute at Rome for any observations it might have to offer.

By April 1936, more than thirty Governments as well as several international organisations had sent particulars.

During these discussions, the Committee received very valuable assistance from two experts — Mr. A. C. Cameron,



representing the British Film Institute, and Dr. E. Dale, of the Payne Fund of New York City.<sup>1</sup>

The Committee still felt, however, that the question was not sufficiently ripe, and decided to continue the discussion next year; meanwhile, the whole of the material will again be reviewed and additional information obtained from Governments and any other available sources.

The liaison officer with the International Educational Cinematographic Institute emphasised in his report<sup>2</sup> the importance to the Child Welfare Committee's work of the International Convention signed at Geneva in 1933 regarding the International Circulation of Educational Films. It was suggested that Government representatives on the Committee should do their utmost to promote the signature of that Convention, and that close co-operation should be established between the Rome Institute and the Child Welfare Committee, which are studying different aspects of the same problem.

### 3. *General Study of the Problem of Young Offenders and Children in Moral Danger.*<sup>3</sup>

The Committee examined the Rapporteur's scheme for the general study of the problem of young offenders and children in moral danger, which has been placed on the agenda of the 1937 session. Acting on the Rapporteur's suggestions, the Committee decided that the work to be submitted at its next session should take the form of a "general study of the principles applicable in dealing with young offenders and children in moral danger". In laying down those principles, account will be taken of the Committee's previous work and conclusions relating to the auxiliary services of juvenile courts, the organisation and operation of those courts, and institutions for erring and delinquent minors. The Committee decided to appoint a sub-committee of experts to assist the Rapporteur.

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<sup>1</sup> Documents C.P.E.533 and 541.

<sup>2</sup> Document C.P.E.535.

<sup>3</sup> Document C.P.E.536.

#### 4. *Child Welfare Councils.*

The Committee had before it reports<sup>1</sup> on the Child Welfare Councils in Denmark, Norway, and Sweden, by experts from each of those countries. The Secretary decided that this information would be useful in connection with the study of the problem of young offenders and children in moral danger, because these Councils, which cover the whole field of child welfare, perform the duties entrusted to juvenile courts in other countries. The Committee proposes to examine these reports at its next session, when making a general study of the question of young offenders and children in moral danger.

#### 5. *Work of the Secretariat as an Information Centre in the Field of Child Welfare.*

This work has been developed on the lines laid down by the Assembly and the Child Welfare Committee. Special efforts have been made to get together, and to make easily accessible, the first essential elements of the material to be collected.

Some sixty requests for information from both official and private bodies have been replied to.

At its last session, the Committee asked the Social Questions Section to undertake certain specific tasks in regard to the publication of information; but, at the same time, it pointed out that, as regards the work entrusted to the Section as an information centre in the field of child welfare, progress should be gradual.

#### 6. *Reports of the Liaison Officers.*

(a) *With the International Labour Office.* — In his report, the liaison officer informed the Child Welfare Committee of the questions discussed by the International Labour Conference in 1935 with reference to the effect of the economic depression and unemployment among young persons, and the aspects of welfare work on behalf of children and adolescents touched upon at the International Labour Organisation's Regional Conference at Santiago de Chile in 1936.

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<sup>1</sup> Documents C.P.E.521, 522 and 523.

The Committee took note of this information and expressed the hope that the International Labour Office would continue its efforts : (a) to raise the minimum age of employment, and, concurrently, the school-leaving age, as it recognised the great importance of this both for the reduction of unemployment and for the protection of young persons ; (b) to study the question of unemployment among young intellectual workers (already raised at the last session), the urgency and social importance of which it emphasised.

(b) *With the Health Organisation.* — During the past year, the Health Organisation has devoted much attention to the problem of nutrition. The Committee noted the information furnished by the liaison officer regarding the Health Organisation's enquiries into the influence of the economic depression and of the nutrition of the unemployed and other population-groups on public health. The Committee also received particulars of the work of the Mixed Committee on Health and Nutrition, and was informed that economic and wage questions would be studied in the Mixed Committee, the International Labour Organisation being represented. The Committee felt that it should itself be represented on the Mixed Committee, to ensure that social assistance questions should receive proper attention. On considering the Committee's report (May 13th, 1936), the Council agreed to this.

### 7. *Future Work of the Committee.*

The Child Welfare Committee considered the proposals submitted to the 1935 Assembly by its Fifth Committee concerning the Child Welfare Committee's future policy and the questions to which special attention should be paid. The delegates of Canada and the United States also put forward a general scheme of work<sup>1</sup> to be spread over several years, suggesting that the different questions might be taken up gradually as and when the Child Welfare Committee was qualified to deal with them, due regard being paid to their international importance.

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<sup>1</sup> Document C.P.E.539.

The Committee approved in principle the idea of a broader and more general survey of child welfare problems, but observed that the work must proceed on clearly defined lines.

As the Child Welfare Committee is now being reorganised, it was decided to confine the discussion to questions of procedure and not to discuss the substance of the reports until the 1937 session.

The delegate of Chile was appointed Rapporteur.

## II. Penal and Penitentiary Questions.

In 1934, the Assembly adopted a resolution requesting Governments to communicate — if possible annually, and, if necessary with the collaboration of qualified associations — any information relating either to the application of the Standard Minimum Rules for the Treatment of Prisoners or to reforms brought about in penitentiary matters.<sup>1</sup>

In 1935, the Assembly instructed the Secretary-General<sup>2</sup> to ask the Governments which accept the Standard Minimum Rules to give these all possible publicity ; to inform Governments that the Assembly's attention had been drawn to the alleged existence in certain parts of the world of various reprehensible practices (such as : the use of violence and other forms of physical constraint either in police cells or in prisons or other places of detention with a view to extorting confession or evidence ; protracted under-feeding to an extent likely to be injurious to the health and lives of prisoners ; the detention of women in prisons without the direct supervision of women officers), which are inconsistent with the Rules and contrary to the principles or rational treatment of prisoners ; and to convey to them an expression of its hope that such practices, where they exist, will be abandoned.

The Secretary-General has carried out these instructions by a circular letter addressed to Members and non-members of the League on October 28th, 1935.

The communications sent in under the Assembly resolutions of 1934 and 1935, together with a review of the current activity

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<sup>1</sup> Document A.45.1934.IV. See also the Report on the Work of the League since the Fifteenth Session of the Assembly (document A.6.1935), page 99.

<sup>2</sup> Document A.63.1935.IV.

of technical organisations working in the field of penal and penitentiary methods, will as usual be submitted to the delegates of the forthcoming Assembly in a separate document.

### III. Assistance to Indigent Foreigners.

The Committee of Experts appointed by the Council in 1931 to study this question held a second session in 1936 (January 27th-February 1st).

At its first session (December 1933), the Committee had drafted the text of a multilateral Convention,<sup>1</sup> which was then submitted to Governments. The purpose of the recent session was to enable the Committee to study the replies received from Governments and international organisations. The majority of these were in favour of a multilateral convention, but the Governments suggested numerous amendments to the draft text, which the Committee revised accordingly.<sup>2</sup>

The Committee considered it unnecessary to draft a model bilateral treaty, but recommended States which for any reason might find it impossible to become parties to the multilateral Convention to conclude bilateral treaties based upon the same principles.

On the proposal of the American experts, the Committee decided to collect information as to the practice of various countries in the matter of assistance to indigent foreigners.

As regards the enforcement of maintenance obligations abroad, the Committee instructed the Secretariat to approach the International Institute for the Unification of Private Law, Rome, with a view to being kept abreast of its activities in this respect. The Institute has already gone very thoroughly into the matter of maintenance obligations.

The Polish experts urged, for reasons of principle as well as on practical grounds, that as many countries as possible should expedite their ratification of the Conventions adopted by the International Labour Conference with a view to ensuring the payment of unemployment benefit to those out of work through no fault of their own. Taking into account the aforesaid

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<sup>1</sup> See document C.10.M.8.1934.IV.

<sup>2</sup> See document C.94.M.37.1936.IV.

reasons, the Committee of Experts considered that its members might draw the attention of their respective Governments to the advantages to be derived from such ratification.

On the proposal of the Polish experts, the Committee also recommended that the attention of the International Labour Office should be drawn to the distressing position of persons who, after working abroad, found the obtaining of their rights under the social system of their country of residence such a long and costly business that they were in danger of being reduced to indigence. It asked the appropriate organs of the International Labour Organisation to examine the possibility of reducing these difficulties to a strict minimum, so that those concerned might be treated with the humanity that was their due.

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11.

TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.

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**A. WORK OF THE ADVISORY COMMITTEE ON TRAFFIC IN  
OPIUM AND OTHER DANGEROUS DRUGS.**

The Advisory Committee on Traffic in Opium and Other Dangerous Drugs met for its twenty-first session at Geneva from May 18th to June 5th, 1936.

The Committee, apart from its periodic general review of the illicit traffic and of the annual reports of Governments, devoted special consideration to three important questions: the manufacture of narcotic drugs in clandestine factories, the serious situation which has arisen in the Far East in regions where the present system of control is difficult and, in effect, inadequate, and the preparatory work to be undertaken with a view to the limitation and control of raw materials by international agreement.

**I. ILLICIT TRAFFIC.**

*Report on Seizures and Review of the Illicit Traffic in 1935.*

The Sub-Committee on Seizures of the Advisory Committee, reviewing the illicit traffic in 1935 and the first three months of 1936, expressed itself as encouraged by the progress achieved. It referred in particular to the cessation of activity on the part of powerful gangs of narcotic traffickers which had operated in various countries of the world. It noted that the traffickers in Europe and on the American continent had been driven to forgery of prescriptions, theft from pharmacies and increasingly heavy adulteration of the drugs which they purveyed, and it drew a contrast between this situation and that which had prevailed five

years ago, when unlimited quantities of illicit morphine could be obtained in Europe for 9 Swiss francs per ounce and in the United States of America and Canada for 36 Swiss francs per ounce, calculated at present exchange rates. It was now difficult to obtain illicit morphine in Europe at all and that commodity was sold in the illicit traffic in the United States and Canada for the equivalent of 450 Swiss francs per ounce.

The principal markets for illicit drugs are still to be found in the United States of America, Canada, China, India and other Far-Eastern territories and Egypt. In general, the seizures made are of comparatively small quantities, which seems to indicate that traffickers continue their policy, to which allusion has been made in previous years, of dividing up the drugs in smaller lots in order to avoid heavy losses in cases of discovery. In the United States, illicit drugs are entering through the Atlantic seaboard and the Pacific coast and, to a lesser extent, from Latin-American countries. In Canada, almost all the traffic seems to originate in the Far East. In China, imported supplies of heroin appear to come from Dairen. Clandestine factories discovered in Shanghai, partly working on crude drugs apparently of Chinese origin, are undoubtedly another source of supply for the illicit traffic in China.<sup>1</sup> In Egypt, seizures of raw opium and hashish are frequent, but manufactured drugs are less often detected.

The representatives of Canada and the United States of America furnished conclusive evidence of an organised traffic into these countries of narcotic drugs from Japan.<sup>2</sup>

#### *Measures to deal with the Illicit Traffic.*

The Committee decided to forward to Governments for their information a memorandum on the smuggling of narcotic drugs through the post. Evidence before the Committee showed that illicit traffickers were continuing to make use of the mails in various countries.

The Committee further considered measures to prevent the use of ocean-going steamers for illicit traffic and to ensure supervision in the larger seaports. The representative of the

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<sup>1</sup> For clandestine manufacture in Chinese territory, see below, pages 180 and 183.

<sup>2</sup> See below, under the paragraph headed "Situation in Japan", page 185.



United States of America submitted suggestions to the Committee for general application by Governments and steamship companies, so that countries threatened with this form of smuggling might consider the possibility of their application.

Among other questions considered by the Committee in reviewing methods adopted by illicit traffickers was a suggestion that a study should be made of the extent to which illicit traffic might arise from the forging of medical prescriptions and the question whether it would be possible to provide, by international agreement, for adequate and uniform penalties to be imposed on illicit traffickers who offered for sale narcotic drugs which were adulterated or replaced by other inert or non-narcotic substances.

Governments, in view of the fact that acid acetic anhydride is used in the manufacture of heroin, were asked in 1934 to furnish figures of their imports and exports of this substance for the years 1931-1934 and subsequently for each calendar year. The question arose whether it was desirable to ask the Governments to continue to furnish these statistics, particularly as certain administrations had drawn attention to the difficulties involved and as acid acetic anhydride was used in very large quantities for the manufacture of other substances, such as aspirin and rayon pulp. The Committee decided to warn Governments of the dangers inherent in the possible use of acid acetic anhydride for the illicit manufacture of heroin, and asked them to give special attention to the movements of this commodity. It will continue its enquiries with a view to ascertaining whether a special control of this product would afford a definite possibility of preventing or detecting clandestine manufacture, but Governments will be informed that they will not be required to furnish statistics of imports and exports of this substance after the end of 1936.

The Assembly, in 1934, expressed the view that specialised police services represented the only means whereby Governments could detect and close clandestine drug factories and effectively combat the illicit traffic, and had requested the Advisory Committee to obtain information as to the numbers and character of the staff assigned to this class of work in different countries.

The Committee noted a memorandum on specialised police forces and decided that it should be sent to the Governments for information.

## II. CONSIDERATION OF THE ANNUAL REPORTS FROM GOVERNMENTS FOR 1934.

The Committee, during its survey of the annual reports, considered a number of questions, to some of which reference is made under the appropriate headings. Special attention was paid to the synoptic statistical tables based on information supplied in the annual reports and on the annual statistical returns prepared and published by the Permanent Central Opium Board. The Committee, in connection with certain statistical data supplied by Governments to the Board which the Board for practical reasons did not publish in their entirety, expressed its appreciation of the assistance afforded by the Board and hoped that it would be possible for it to continue to furnish this information to the Advisory Committee.

## III. CLANDESTINE MANUFACTURE.

The Committee considered a confidential memorandum prepared by the Secretariat on clandestine manufacture and on the measures to be taken by Governments to prevent and detect it.

Information available to the Committee shows that fifty-four clandestine factories or laboratories were discovered and suppressed during the years 1929-1936. Of these factories, sixteen were discovered in 1934 and seventeen in 1935. The fifty-four factories, most of which were of small importance, were distributed as follows : Shanghai 21, Tientsin 5, Dairen 6, Hankow 1, Turkey 13, Bulgaria 1, France 4, Greece 2, United States of America 1. Seizures made in the illicit traffic point to the existence of clandestine factories in China, north and south of the Great Wall, and information has in recent years been given as to the existence of specific establishments. These facts have been confirmed officially only in a few cases. There are known to exist in different parts of China large numbers of shops selling narcotic drugs, but the drugs supplied to these shops may be of foreign or of native manufacture or both. The Advisory Committee expressed the earnest hope that the Chinese Government and the other Governments concerned will shortly supply it with as full information

as possible in regard to the clandestine manufacture on Chinese territory under their control.

The Committee decided that the document prepared by the Secretariat should be forwarded confidentially to Governments for their information and guidance and that Governments should be asked to submit their observations or any additional suggestions which they might wish to put forward with a view to intensifying the campaign against clandestine manufacture. It was further decided that the Committee would reconsider the subject in the light of any new material which might thus be placed at its disposal.

#### IV. SITUATION IN THE FAR EAST.

One of the principal preoccupations of the Committee during the session was the alarming situation in China. Information placed before the Committee showed the continued existence in China of clandestine manufacture and of a widespread illicit traffic in narcotic drugs carried on in part by foreigners, principally Japanese, living under extra-territorial jurisdiction and liable to penalties which, in the case of the Japanese subjects, were described by members of the Committee as, in the circumstances, "derisory".

##### *Application of Chapter IV of the Hague Convention.*

The Committee, on the report of its Permanent Sub-Committee for the Application of Chapter IV of the Hague Convention, noted that the Chinese Government was receiving more effective co-operation from the authorities of the Settlements and certain Concessions in China and hoped that such co-operation would be forthcoming in cases where it was not yet in being. It endorsed the following suggestions made by the Government of the United States of America :

- (1) That the Chinese Government should publish annually detailed statistics by provinces of the areas planted with poppy, the production of raw opium, the movement of opium both raw and prepared, the quantities of raw opium used for producing opium prepared for smoking, stocks at the end of each year and revenue obtained from the traffic ;

(2) That the Chinese Government should render more effective its prohibition of the import into China of Iranian or other foreign opium ;

(3) That the Chinese Government should submit for transmission to all the parties to the 1931 Convention individual reports on all important cases of illicit traffic and clandestine manufacture discovered in China ;

(4) That the authorities of the International Settlement of Shanghai should continue to send reports on individual cases of illicit traffic for distribution to the authorities of parties to the 1931 Convention, and that similar reports should continue to be submitted in regard to other foreign concessions in China.

### *General Situation in China.*

The representative of China gave to the Committee the latest information at his disposal regarding the enforcement in China of the measures whereby it was proposed to suppress opium-smoking and the cultivation of the opium poppy within a period of six years.

In May 1935, the Central Political Committee of the Kuomintang had appointed Generalissimo Chiang Kai Chek as Inspector-General for the suppression of opium with powers to take any measures necessary for the accomplishment of his task. The Inspector-General was assisted by two bodies subject to his orders — namely, the Opium Suppression Supervisory Bureau at Hankow, whose task it was to suppress the illicit transport and sale of narcotic drugs and to control the transport and sale of opium for registered smokers, and the Central Commission for the Suppression of Opium, which had begun work at Nanking in January 1936. The Central Commission, which co-ordinated the work of suppression in the various provinces, had declared, at the close of its first plenary meeting in February 1936, that the Government was firmly resolved totally to suppress opium-smoking within the prescribed period of six years, that its plans would in no way be modified by regard for the comparatively small revenue derived from the sale of opium and that the whole nation was expected to support the Government in the work of suppression. In twelve provinces, the cultivation of the poppy was already prohibited and in seven others a scheme of progressive reduction was in course of application.

The Chinese representative, in referring to measures taken in respect of manufactured drugs, informed the Committee that in 1935 45 kg. of morphine, 188 kg. of heroin and 703 kg. of narcotic pills had been seized. 970 persons had been sentenced to death and executed for breaches of the narcotic laws. He stated that the greatest difficulty encountered in the suppression of the illicit traffic in narcotic drugs lay in the fact that certain foreign nationals profited from their privileged position to engage within Chinese territory in the illicit traffic in narcotics on a vast scale. He referred especially to the activities of Japanese nationals and, while paying a tribute to the assistance afforded on several occasions by the Japanese authorities in combating the illicit traffic, emphasised that the situation remained extremely serious in certain parts of China and particularly in Northern China.

The representative of the United States of America informed the Committee of the results of an enquiry for the purposes of which the American authorities had recently enlisted the aid of Chinese citizens in every province to conduct an extensive survey of the production of raw opium and opium derivatives in every province of China, both north and south of the Great Wall. The production of opium, at a minimum estimate, had been calculated to be 12,261 metric tons, or over 90 % of the total world production, while the situation in regard to the clandestine manufacture of opium derivatives was described as "terrifying", more particularly in Manchuria and Jehol. The clandestine manufacture of narcotic drugs appeared to exist in all provinces of China except Kwangsi, Chekiang, Kiangsi, Sikiang, Chinghai, Kansu, Shensi, Anhui, Shansi, Ninghsia and Chahar.

The representative of the United States of America, in placing the results of this enquiry before the Committee, laid special emphasis on the conditions obtaining in the province of Hopeh, and in Tientsin, Peiping and Shanghai, for which, as he stated, Japanese and Korean traffickers were responsible. The Japanese consular authorities in China were helpless to remedy this situation owing to the low penalties provided for by the Japanese legislation for cases of illicit traffic.

Mr. Lyall, assessor on the Committee, in confirmation of the evidence submitted as to the extreme gravity of the situation,

referred specially to the district of Changli, an area of about 800 square miles with 400,000 inhabitants. For this district alone he had received a list of 131 shops owned by Japanese or Koreans in which morphine or heroin were sold. Only two of those shops had been closed as a result of action taken by the authorities. According to other lists in his possession, there were 323 opium dens in Amoy and 319 in Foochow kept by Japanese subjects. Other foreigners were involved in the illicit traffic, but, at a time when China was making a great effort to suppress opium-smoking, it was essential that the effective co-operation of the Japanese authorities in Northern China should be secured in dealing with Japanese nationals who had extra-territorial rights.

The representative of Japan said that his Government was fully alive to the gravity of the situation in Northern China and was anxious to help in every possible way to remedy it. He had received a report from the Japanese Consul-General at Tientsin stating that the establishment of consular police posts had done much to improve matters. In particular, on May 21st, 1935, the Consular Police had undertaken operations in the district of Changli as a result of which twenty-one persons had been expelled from the territory and two shops had been closed.

The Committee, summarising the conclusions of the discussion, adopted the following resolution :

“ The Advisory Committee,

“ Having again had its attention drawn to the increasingly serious situation existing in China as regards the clandestine manufacture and the illicit traffic in narcotic drugs ;

“ Considering that the appeal made by the Chinese representative for the collaboration of the Governments concerned for the purpose of ending the alarming illicit traffic merits the practical support of Governments ;

“ Considering also that the seriousness of the situation in China is partly due to the fact that the maximum penalties which can be imposed under Japanese law on traffickers of Japanese nationality have proved totally inadequate to serve as a deterrent or to prevent the illicit traffic ;

“ Realising that the situation as revealed to the Committee has developed into a serious menace, not only to China, but also to the rest of the world ;

“Anxious to make every contribution to assist China in its campaign against the drug menace :

“Notes with great satisfaction the measures already taken by the Chinese Government for the purpose of suppressing the clandestine manufacture and the illicit traffic in narcotic drugs in the territory under its control ;

“Addresses an earnest appeal to the Government of China to continue and intensify its efforts towards this end and requests to be kept constantly informed of the situation ;

“Addresses an equally earnest appeal to the Japanese Government to continue and redouble its efforts and to take such action as may be necessary to provide penalties for the illicit traffic in narcotic drugs and for their manufacture likely to act as effective deterrents wherever Japanese jurisdiction extends ;

“Recommends all Governments which have not already done so to take every possible step to prevent their nationals from engaging in illicit traffic in China.”

### *Situation in Japan.*

For some years past, the Advisory Committee has had reason to suspect that there was an extensive traffic in cocaine and other drugs from Japan to the North-American continent, India and other Far-Eastern territories, and the representatives of Canada and the United States of America this year furnished conclusive evidence of such traffic.

The Japanese Government had been given all the details of this traffic, including the name and address of the principal supplier in Japan, who, in correspondence with persons on the American continent, had offered unlimited quantities of morphine, heroin and cocaine of best quality, manufactured with the permission of the Japanese Ministry of the Interior, and had informed his agents in Canada of the methods to be used for the smuggling operations, which, he stated, had proved so successful in the traffic to India and China as to have completely defied detection.

It was again noted that the Japanese authorities had not yet discovered how the drugs, labelled as of Japanese origin and seized in many places, had been diverted into the illicit traffic from authorised factories in Japan, and attention was called once more to the inadequacy of sentences passed by the Japanese courts on Japanese traffickers.

The Committee is of opinion that effective action in dealing with these two points would go a long way towards stopping the illicit traffic out of Japan.

The representative of Japan, who, in reference to the situation in China, had assured the Committee that his Government was resolved to take effective measures, which, he believed, were already being put into operation, and who asked the Committee to have confidence in his assurances and in the goodwill of the Japanese Government, informed the Committee that he had received a telegram from his Government stating that at Kobe the police had arrested twenty-six persons who were apparently the centre of an organisation of traffickers, presumably of the same group implicated in cases to which the Canadian Government had drawn attention. The telegram further stated that the police at Kobe were investigating information to the effect that use was being made of ships sailing from Kobe to the Pacific coast.

#### *Situation in Macao.*

The Committee learned with satisfaction that the Portuguese Central Government, which had for some time been dissatisfied with the working of the Macao Opium Monopoly, had instituted an enquiry, which was still proceeding. Certain officials had been dismissed by the Governor and expelled from the colony. The Committee noted that a new Governor would shortly be appointed and that the Portuguese Government had decided to reorganise the whole administration of the monopoly.

#### *Export of Iranian Opium to the Far East.*

The Committee noted a statement in the annual report for Iran that the import permit system did not exist in that country, and the representative of China referred to exports of raw opium from Iran in 1933 and 1934 which do not appear in the Chinese import statistics.

The representative of Iran explained that the system of import certificates, while it had not yet been adopted officially by the Iranian Government, was applied in practice in the case of Europe and of certain Far-Eastern countries and that no consignments were allowed to go forward unless accompanied by an import certificate. There were, however, certain areas



in China which did not come under the control of the Central Chinese Government, and certificates for the quantities referred to by the Chinese representative had probably been issued by the local authorities of these areas. The Iranian authorities were not under any formal obligation to require import certificates and did not feel bound to enquire fully into their source so long as they were satisfied that the certificates were issued by a public authority.

The Committee recalled that the representative of Iran had, at a previous session, given its members reason to hope that his Government would shortly ratify the Conventions of 1912 and 1925. The view was expressed that the whole problem of the illicit traffic was necessarily complicated by the fact that the Iranian authorities did not feel it necessary to enquire fully into the origin of the import certificates required for the export of consignments of raw opium from Iran.

The representative of Iran stated that it was the intention of his Government to ratify the Conventions as soon as it was possible for it to do so.

V. PREPARATORY WORK FOR A CONFERENCE TO CONSIDER  
THE POSSIBILITY OF LIMITING AND CONTROLLING  
THE CULTIVATION OF THE OPIUM POPPY AND THE CULTIVATION  
AND HARVESTING OF THE COCA LEAF.

The Committee noted that the information supplied by Governments concerning the cultivation of the opium poppy, the production of raw opium and the cultivation and harvesting of the coca leaf was still very incomplete.

The Turkish representative, who drew the attention of the Committee to tendencies which had become apparent in certain countries to introduce cultivation of the poppy at a time when the old producing countries were endeavouring to decrease their output, stated that the policy of his Government in regulating the cultivation of the opium poppy was to maintain a balance between the yield of the poppy crop and the needs of the national and international markets, while at the same time safeguarding as far as possible the interests of the farmers. The Turkish Government could not at the moment admit the urgency for an international agreement restricting its liberty of action in this

matter, though it did not underrate the advantages of an international arrangement and was not in principle opposed to the meeting of an international conference.

The Iranian representative did not think that the problem was yet ripe for practical consideration, emphasising that the available information was still inadequate and that it would be difficult to complete it. His Government was prepared to limit the cultivation of the opium poppy and was not opposed to the calling of a conference in due course.

The Chinese representative expressed himself in favour of convening a conference, representing that, if opium cultivation could be limited internationally, such limitation would be a great encouragement to the Chinese Government in suppressing cultivation of the poppy in Chinese territory in accordance with the six-year plan.

The view was expressed by other members of the Committee that the sacrifices of the producing countries which would inevitably be imposed by a limitation of raw materials were a necessary sequel to the sacrifices which had led the countries manufacturing narcotic drugs to accept a system of rigid limitation, and it was strongly urged in the Committee that the proposed conference should not be indefinitely delayed owing to lack of information from the producing countries.

The representative of Portugal, noting that there was very little information available regarding the coca leaf, but that the principal opium-producing countries were prepared to co-operate with the Committee, suggested that the two questions of the cultivation of the opium poppy and the cultivation and harvesting of the coca leaf should be separated, and that efforts should be concentrated for the time being on preparing for a conference to limit and control the cultivation of the poppy only.

The Advisory Committee adopted the following resolution :

“ The Advisory Committee on Traffic in Opium and other Dangerous Drugs,

“ Considering that the studies carried out and the documentary material collected with a view to limitation and control of the cultivation of the opium poppy on the one hand and the cultivation and harvesting of the coca leaf on the other hand have shown that these two questions present themselves under different aspects and possess different economic characteristics ;

“ Considering that, in regard to the opium poppy, measures of controlling cultivation are urgent ;

“ Considering on the other hand that the control of the cultivation and harvesting of the coca leaf are unlikely to become applicable in the near future on account of the special circumstances connected with its production :

“ Decides :

“ (1) To propose to the Council that the two problems should be dissociated from each other ;

“ (2) To continue the studies and the collection of documentary material relating to control of the cultivation of the opium poppy with a view to convening at as early a date as possible a conference for the limitation and control of this raw material ;

“ (3) To adjourn to a later date the problem of the control of the coca leaf, while nevertheless considering that the studies relating to this problem should be continued.”

It was understood that the Committee would at its next session consider the general principles on which an international convention for the limitation and control of the cultivation of the opium poppy might be based. The French representative made at a private meeting an important statement directing the attention of the Committee to some of the main aspects of the problem.

The Committee decided that the Governments of the producing countries should be asked to furnish all the information which was asked for in the questionnaire and which it was possible for them to supply by January 1st, 1937.

## VI. APPLICATION OF THE OPIUM CONVENTIONS.

### *Ratifications and Accessions.*

The Union of Soviet Socialist Republics acceded to the Geneva Convention of 1925 in 1935. Fifty-three States are now parties to this instrument.

There were seven accessions in 1935 to the Limitation Convention of 1931 : Afghanistan, Ecuador, Estonia, Japan, New Zealand, Panama and the Union of Soviet Socialist Republics. Denmark and Luxemburg ratified the Convention in 1936.

The total number of States parties to this Convention was thus increased to fifty-eight.

There are now six States parties to the Agreement for the Suppression of Opium-smoking, signed at Bangkok on November 27th, 1931, the latest ratification being that of India on December 4th, 1935. Japan, however, has yet to ratify the Agreement before it can come into force.

The Hague Opium Convention, 1912, though there have been no further accessions since 1933, remains the Convention to which the largest number of States — viz., fifty-nine — are parties.

*Results of the Application of the Opium Conventions as shown in the Statistics of World Manufacture, Export and Consumption.*

The results of the application of the Opium Conventions are strikingly shown in the statistics of world manufacture, export and consumption during the years 1930-1934. The quantities of diacetylmorphine and cocaine manufactured by licensed firms have come increasingly near to the quantities necessary for legitimate consumption and reached their lowest point in 1934, while the quantities of morphine effectively and legitimately used during 1934 actually exceeded the quantities effectively manufactured.

*Manufacture.*

The following table indicates the total quantities of the three principal drugs legitimately manufactured throughout the world for the period indicated :

	1930	1931	1932.	1933	1934
	Kilogrammes				
Morphine . . . . .	38,634	30,457	27,580	29,997	26,778
Diacetylmorphine.	4,088	1,249	1,315	1,347	1,110
Cocaine . . . . .	5,838	4,612	3,968	4,010	3,472

The total quantities of morphine used in 1934 either for consumption or conversion or the manufacture of preparations exceeded by 2.1 tons the total quantity manufactured, the excess of consumption over manufacture being taken from the stocks of the previous year, which showed a decrease by a corresponding amount.

In the quantities of morphine manufactured throughout the world, two opposing tendencies are clearly evident. First, there is a relatively large increase of manufacture in certain new manufacturing countries — that is to say, countries which began to manufacture morphine in 1930 or subsequent to that year; secondly, there is a very appreciable decrease of manufacture in the old manufacturing countries.

This development is indicated in the following table :

*Manufacture of Morphine in Certain New Manufacturing Countries.*

Country	Total manufacture of morphine	
	1933	1934
	Kilogrammes	
Belgium . . . . .	419	973
Czechoslovakia . . . . .	367	460
Hungary . . . . .	192	365
Poland . . . . .	174	456
Sweden . . . . .	72	141

*Manufacture of Morphine in Certain Old Manufacturing Countries.*

Country	Total manufacture of morphine	
	1933	1934
	Kilogrammes	
France . . . . .	4,482	3,022
Germany . . . . .	6,285	4,983
Switzerland . . . . .	1,595	805
United States of America . . . .	7,015	5,983

*Exports.*

A comparison of the quantities of the three principal drugs exported during the period 1930-1934 shows the same tendency towards a decrease :

	1930	1931	1932	1933	1934
	Kilogrammes				
Morphine . . . . .	2,618	1,922	1,760	1,728	1,456
Diacetylmorphine.	886	358	311	319	243
Cocaine . . . . .	1,789	1,451	1,416	1,418	1,115

For all three drugs the exports for 1934 were the lowest as yet recorded.

*Consumption.*

The world consumption of the three drugs appears to follow the general movement noticed in respect of manufacture and exports :

	1932	1933	1934
	Kilogrammes		
Morphine (as such) . . .	7,255	7,410	6,810
Diacetylmorphine . . . .	1,257	1,135	1,019
Cocaine . . . . .	3,542	3,409	3,209

World consumption accordingly appeared to have reached its lowest level up to date in 1934.

VII. ENQUIRY INTO DRUG ADDICTION.

The attention of the Assembly in 1935 was drawn to the fact that the campaign against the illicit traffic in narcotic drugs and drug addiction was hampered by the lack of knowledge as to the magnitude of the problem, the real extent of addiction and the amounts of the drugs consumed annually by addicts in the various countries being at present unknown factors. The Assembly, while appreciating the difficulties inherent in the task, supported a decision of the Advisory Committee to ask the Secretariat to collect such information as might be available and expressed the hope that the Governments would not hesitate to make every effort to supply the information required.

The Advisory Committee, during its twenty-first session, noted a memorandum prepared by the Secretariat in accordance with these instructions based on information furnished by Governments in their annual reports or otherwise placed at the disposal of the Advisory Committee.

The Committee decided that a questionnaire on drug addiction should be sent to the Governments requesting them, as from January 1937, to supply the Secretary-General of the League of Nations annually for a few years with information relating to the extent of addiction, establishments for the treatment of addicts and the number of addicts belonging to certain professions. The questionnaire was framed and revised by a special Sub-Committee appointed for the purpose.

The Committee was of opinion that the enquiry should be

limited to cases of addiction to the following drugs: opium, morphine, heroin, cocaine and cannabis.

The Committee decided that Governments which sent in separate annual reports on prepared opium should not be required to answer the questionnaire, but should be asked to supply similar information in preparing those reports.

### VIII. ANTI-NARCOTIC EDUCATION AND PROPAGANDA.

The Committee noted information obtained from Governments as to the measures which they had taken and the experience which they had acquired concerning the effectiveness of education and propaganda against the abuse of narcotic drugs.

The Assembly in September 1935 had requested the Advisory Committee to discuss the question at the first opportunity and "to endeavour to outline a constructive plan for organising on an international basis the campaign of educational propaganda against the abuse of narcotic drugs".

Two methods of propaganda have been put forward for consideration, the direct method which includes propaganda by means of the Press, pamphlets, posters, lectures and instruction in schools and colleges, and the indirect method which consists in improving conditions of life and thus providing other and more wholesome activities.

The direct method has been strongly criticised by several Governments, which feel that, instead of diverting young people from addiction, propaganda and education of this kind might awaken interest and curiosity and thus defeat their own object.

This point of view was urged by various members of the Committee, who emphasised that, while the direct method might be useful in countries where addiction was widespread, and more particularly in some of the opium-smoking countries, it was not to be recommended and might even be dangerous in other countries.

The Committee adopted the following resolution :

"The Advisory Committee has carefully examined the request of the Sixteenth Assembly relating to education and propaganda against the abuse of narcotic drugs. After studying information supplied by Governments and summarised in document O.C.1642,

it is of opinion that propaganda in schools and other direct propaganda should only be practised in certain countries where addiction is a substantial problem. In other countries where addiction is, on the contrary, sporadic, such propaganda would be evidently dangerous. It would not accordingly seem desirable to frame a constructive plan on an international basis in this field.

“ The Committee, however, would insist on the utility of propaganda of this kind organised within the medical profession and among pharmacists, nurses, etc., and considers that special courses on addiction should be organised in the medical faculties and in establishments training persons for the auxiliary medical services.

“ The Advisory Committee asks the Council to instruct the Secretary-General to forward this resolution to Governments, asking them to furnish all useful information concerning propaganda among medical and auxiliary medical circles.”

#### IX. INDIAN HEMP.

The Committee noted a report from its Sub-Committee on Indian Hemp, which had before it a series of studies communicated by experts in response to a questionnaire sent to them at the close of the previous session. Discussion in the Sub-Committee showed that, from the medical point of view, in some countries the use of Indian hemp in its various forms was not regarded as indispensable and that no objection would be raised to a strict limitation of the use of its derivatives for medical, if not veterinary, purposes. The question will be further examined when the studies are completed. The Committee expressed its appreciation of the researches undertaken by M. de Myttenaere, assessor, during the past year and noted that his experiments had successfully confirmed the value of Beam's test for the detection of cannabis.<sup>1</sup>

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<sup>1</sup> The above chapter is based almost entirely on the report of the Advisory Committee to the Council (twenty-first session). This report has not yet been printed, however, and, accordingly, a mere reference is made here to the various roneoed documents of which it will consist. They are the following :

- (1) Report to the Council : documents O.C.1656, 1656(a) and 1656(b) ;
- (2) Report of the Sub-Committee on Seizures : document O.C.S.281 ;
- (3) Report of the Permanent Sub-Committee on the Application of Article IV of the Hague Convention : document O.C.1651 ;
- (4) Report of the Sub-Committee on Indian Hemp : document O.C.1655.



**B. WORK OF THE SUPERVISORY BODY.<sup>1</sup>**

*Estimated World Requirements of Dangerous Drugs in 1936.*

The Supervisory Body, constituted under paragraph 6 of Article 5 of the Limitation Convention of 1931, issued on October 18th, 1935, its statement of the estimated world requirements of dangerous drugs in 1936.

Estimates were furnished by Governments in respect of fifty-nine countries, including eleven countries not parties to the Convention, and in respect of eighty-nine colonies, protectorates, overseas territories and territories under suzerainty or mandate.

The Supervisory Body framed estimates in respect of eleven countries and nine territories for which estimates were not furnished by Governments. Eight of the countries which did not furnish estimates were in Central and South America.

The grand totals of estimates of quantities necessary for home consumption, conversion and replenishing reserve and Government stocks for 1936 in respect of the five principal drugs as compared with the previous two years are shown in the following table :

	1934	1935	1936
	Kilogrammes		
Morphine . . . . .	39,089	39,001	44,126
Diacetylmorphine . .	1,554	1,084	803
Codeine . . . . .	29,848	28,330	28,177
Dionine . . . . .	3,102	2,996	3,577
Cocaine . . . . .	6,613	5,542	4,600

The totals of the estimates of the amounts of these five drugs required as such for medical and scientific use were as follows :

	Amount required for use as such		
	1934	1935	1936
	Kilogrammes		
Morphine . . . . .	9,371	8,987	9,799
Diacetylmorphine . .	1,557	1,089	930
Codeine . . . . .	26,487	24,898	25,710
Dionine . . . . .	2,833	2,670	3,314
Cocaine . . . . .	5,766	4,996	4,503

<sup>1</sup> See document O.C.1644.

The table shows an increase in the estimated consumption of morphine and dionine, which is partly offset by a marked decrease in the use of diacetylmorphine. The estimated consumption of codeine shows only small variations from year to year, but there continues to be a marked decrease in the estimates for cocaine.

The most striking feature of the estimates for 1936 is a wide divergence between the total of the amounts of morphine estimated as required for conversion, which shows a large increase, and the total of the estimated requirements of the drugs into which morphine is converted. The total of the estimated requirements of morphine for purposes of conversion has risen from 29,330 kg. in 1935 to 34,279 kg. in 1936, whereas the total of the estimates for diacetylmorphine, codeine and dionine in 1936 is nearly 2,000 kg. less than the amount of morphine estimated as required for their production, and this notwithstanding that a substantial amount of codeine is produced, not by conversion from morphine, but by direct extraction from raw opium. The inference would seem to be that manufacturing countries, or some of them, are greatly over-estimating their requirements of the amounts of morphine required for conversion. The position, in the opinion of the Supervisory Body, calls for careful examination and will this year be reconsidered.

#### *Difficulties of the Supervisory Body.*

The Supervisory Body this year was again unable to complete its examination of the estimates in the time available under the Convention, partly owing to the fact that some of the estimates were received late and partly owing to the fact that there was not time between its sessions in August and October to obtain from certain Governments the information and explanations required from them in respect of the estimates received.

The Supervisory Body, in fact, came to the conclusion that the time available for correspondence with the Governments in the interval between its two sessions was insufficient and it drew attention to these difficulties in a resolution at its eighth session (October 1935) requesting the Council to take certain action. The Council, on January 20th, 1936, took note of the difficulties of the Supervisory Body and instructed the Secretary-General to write to the Governments parties to the 1931 Convention invited to take part in the Conference which will meet to consider the draft

Convention for the Suppression of Illicit Traffic in Dangerous Drugs, pointing out on behalf of the Council the desirability of empowering their delegates to this Conference to conclude an administrative agreement whereby the latest date of issue of the annual statement of estimates would be altered from November 1st to December 1st.

### C. WORK OF THE PERMANENT CENTRAL OPIUM BOARD.

#### 1. *Twenty-fifth Session of the Board.*

At its twenty-fifth session, held from August 26th to September 7th, 1935, the Permanent Central Opium Board decided that, owing to administrative difficulties, it would be obliged to divide into two parts the annual report which it submits to the Council under Article 27 of the Geneva Opium Convention of 1925.

The first report submitted in September 1935 deals with the activities of the Board since the previous report and contains information in regard to manufacturing countries and conclusions based upon that information. It deals also with the difficulties encountered by the Board owing to the fact that not all the Governments interpret in the same way paragraph 2 of Article 12 of the 1931 Convention :

“ The imports in any one year into any country or territory of any of the drugs shall not exceed the total of the estimates as defined in Article 5 and of the amount exported from that country or territory during the year, less the amount manufactured in that country or territory in that year.”

The Board considers that, in accordance with the spirit of the new Convention, an exporting country, when it appears from its own records that a country has exceeded its import quota, should refuse to allow any further exports to that country until it had ascertained from the Board that the excess imports had been counterbalanced by exports. It seems to the Board that some such procedure is particularly necessary when the importing country is one that neither manufactures nor exports drugs.

As to the way the Limitation Convention has worked in 1934 in connection with imports taken in relation to estimates, the Board reports that, during that year, a large number of cases

occurred in which countries imported more than was permissible under their estimates. In nearly every case the excess was small, but, in twenty-nine cases, the Board, in accordance with the provisions of Article 14 of the Limitation Convention, notified Governments that the estimates of certain countries for certain drugs had been exceeded. As prescribed by the Convention, the Governments, upon receipt of this notification, ceased to authorise any further exports to the countries concerned unless supplementary estimates were furnished or in certain exceptional cases. In the first year of the entry into force of the Limitation Convention, the system of estimates and embargoes established by the Convention seemed to work without too much difficulty.

The Board further examined the extent to which the contracting parties had succeeded in carrying out their obligations under the new Convention in respect of the manufacture of drugs. Leaving out of account excess manufacture over estimates of less than 5 kg., the Board found that, in 1934, of the twenty-one countries that manufactured morphine, fifteen had manufactured too much; of the eleven countries that manufactured diacetylmorphine, five had manufactured too much; of the thirteen that manufactured cocaine, five had manufactured too much. Considering that 1934 was the first year the Limitation Convention had been in force and that the difficulty of calculating for the first time the quantities of morphine which would be required for conversion into codeine and dionine was very great — since the trade in these drugs had not been previously controlled — the Board sees no reason to be disappointed with the year's results.

## *2. Twenty-sixth Session of the Board.*

At its twenty-sixth session, held from March 24th to 31st, 1936, the Board examined all the statistics relating to the year 1934, furnished by Governments under the terms of the 1925 and 1931 Conventions. These statistics, which are annexed to the second part of the Board's report presented to the Council on May 13th, 1936, are tabulated so as to include the Statement called for in Article 14, paragraph 3, of the 1931 Convention. This part of the report is particularly important in that it deals with the first year in which the 1931 Convention was fully

applied. The main conclusions arrived at by the Board will no doubt be of interest.

As regards the examination of possible accumulations of narcotic drugs in the various countries — the Board's chief task under the 1925 Convention — the Board is, generally speaking, well satisfied with the position of stocks of manufactured drugs. The same cannot be said with regard to stocks of raw materials. At the end of 1934, several countries had in stock a quantity of raw opium, medicinal opium and opium in the form of tinctures, etc., which was considerably in excess of one year's requirements. The Board realises that more opium is grown in the world than can be legitimately consumed and that, until production is reduced, stocks in hand are more likely to grow than to diminish; it is therefore particularly concerned at the accumulation of such stocks, as, while the provisions of the various Conventions have gradually resulted in an increasingly adequate control of the output of manufactured drugs from known factories, there is nevertheless ample evidence that tons of raw materials escape to unknown destinations and may thus become available for use in clandestine factories.

The Board devotes a large part of its report to the question of how Governments have discharged their obligations under the 1931 Limitation Convention as regards manufacture, imports, consumption, conversion, and stocks in 1934 in comparison with the estimates for that year. It is gratifying to note that the Board is of opinion that, in spite of the difficulties encountered during the first year of its application, the main objects of the Convention were successfully attained; no more of the main drugs were manufactured in the year than were needed to meet world requirements and the stocks in hand at the end of the year were not unduly large.

As regards world consumption, the Board notes that the consumption of drugs manufactured from both opium and coca leaves has fallen far below the world requirements of these drugs as approximately estimated during the Limitation Conference in 1931.

On the other hand, the Board's findings, after examination of the figures for quantities seized in 1934 on account of illicit importation or exportation, are less optimistic. These quantities are insignificant in comparison with the number of

addicts who are known to exist in certain countries, and the comparison brings out the great difficulties with which the Customs authorities have to contend in their efforts to put an end to the smuggling of manufactured drugs on account, among other reasons, of their extremely small bulk. Were the Customs control sufficiently strict to constitute a serious check upon the illicit drug traffic, legitimate trade would also be very gravely hampered.

In conclusion, the Board would specially emphasise that the statistics at its disposal would appear to indicate that the illicit traffic is not supplied to any appreciable extent with drugs manufactured in authorised factories. The inevitable conclusion is that the present methods of combating the illicit traffic have not proved sufficiently effective and that the position necessitates both new methods and the allocation of sufficient funds to the national organisations which the contracting parties to the 1931 Convention have undertaken to create under Article 15 of that Convention.<sup>1</sup>

### 3. *Twenty-seventh Session of the Board.*

The Board, at its twenty seventh session, held from June 23rd to 27th, 1936, examined, in accordance with its usual practice, the cases of discrepancy between the quantities of drugs reported quarterly by the Governments of exporting countries as having been exported and the quantities reported by the Governments of the importing countries as having been imported during the corresponding quarters.

The Board discussed some of the methods of calculating the consumption of drugs in the various countries as set forth in the Model Administrative Code to the International Opium Conventions of 1925 and 1931. In this connection, the Board came to the conclusion that, whatever the method adopted to calculate consumption, it should be accompanied by an effective control in the country, and that the calculation and the actual control should be used by the authorities as a check on each other.

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<sup>1</sup> Reference documents : C.364.M.185.1935.XI ; C.229.1936.XI.

The Board also made a preliminary examination of the situation obtaining in 1935 in the most important drug-manufacturing countries, particularly as regards morphine, diacetylmorphine and cocaine. In those cases where the manufacture exceeded the amounts authorised to be manufactured, the Board decided to ask for explanations from the Governments concerned. This examination raised certain questions of principle, owing to the fact that the 1931 Limitation Convention does not seem to be entirely clear in certain respects.

#### **D. CONVENTION OF 1936 FOR THE SUPPRESSION OF THE ILLICIT TRAFFIC IN DANGEROUS DRUGS.**

Following a decision of the Council on January 20th, 1936, a Conference was held at Geneva from June 8th to June 26th, 1936, for the purpose of concluding a Convention for the Suppression of the Illicit Traffic in Dangerous Drugs. The Conference was attended by delegates from forty countries, observers from two other countries, and representatives of the International Criminal Police Commission at Vienna, who attended the Conference in an advisory capacity and as experts.

Its principal object was to take international action with regard to three matters which had made it particularly difficult to deal effectively with the illicit drug traffic. These were the following :

(1) In a number of countries, the penalties provided for offences against the laws enacted to carry out the provisions of the international Conventions were inadequate to act as a deterrent.

(2) In the majority of countries, no legal provision was made for punishing persons who arrange or procure, or are accessory to arranging or procuring, the smuggling of opium or drugs into territories outside the country in which they are residing.

(3) In many countries, no provision was made for the extradition of offenders in respect of offences committed in other countries against the laws relating to dangerous drugs.

The Conference adopted as a basis for its work a draft Convention prepared in accordance with the procedure laid down by the Assembly resolution of September 25th, 1931, for the conclusion of international Conventions under League auspices. Governments had already been twice consulted on

the text of the draft articles, and in addition, a further revision had been made by a special Committee of Experts which met at Geneva in December 1935.

The Conference reached agreement on a text after discussions lasting almost three weeks, the instruments being signed on June 26th. The final text does not differ in essential principles from the earlier drafts, though certain rearrangements of form and expression were found necessary, and some proposals which did not meet with general acceptance by the Conference were, after discussion, inserted as recommendations in the Final Act of the Conference.

The provisions of the Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs fall mainly into three parts :

(a) Provisions whereby the parties undertake to make the necessary legislative provision for severely punishing, particularly by imprisonment, acts which are usually understood to be embraced by the expression " illicit drug-traffic ". It is to be noted that the Convention gives an extensive meaning to this expression by enumerating the acts covered by the Convention — viz., the manufacture, conversion, extraction, preparation, possession, offering, offering for sale, distribution, purchase, sale, delivery on any terms whatsoever, brokage, despatch, despatch in transit, transport, importation and exportation of narcotic drugs, contrary to the provisions of the international opium Conventions. The following acts are also similarly punishable : intentional participation in the offences specified, conspiracy to commit any of them, attempts, and, subject to the conditions prescribed by national law, preparatory acts.

The Conference also adopted an article requiring those contracting parties whose national law regulates the cultivation, gathering and production of raw materials with a view to obtaining narcotic drugs to make any contravention of such law severely punishable.

(b) Provisions designed to ensure that offenders do not escape prosecution and punishment on technical grounds such as the non-recognition by certain countries of the principle of the extradition of nationals, etc., and that they do not escape extradition merely because drug offences are not expressly



included as extradition crimes in any extradition treaty between the parties to the Convention.

(c) Provisions for international administrative arrangements among the parties to the Convention, in order to facilitate the application of the Convention and the prosecution and punishment generally of offenders concerned in the illicit drug traffic.

For this purpose, each party to the Convention is to set up a central office for the supervision and co-ordination of all operations necessary to prevent the offences covered by the Convention. These central offices are to be in close contact, and to communicate to each other information relating to the international drug traffic.

The Convention also provides for the mutual communication between the contracting parties, through the Secretary-General, of laws and regulations made in application of the Convention, and also of annual reports on the working of the Convention.

The Final Act embodies interpretations of certain provisions of the Convention, together with several recommendations. The most important of these latter is an appeal to Governments which still permit the use of opium for other than medical or scientific purposes to take effective action without undue delay with a view to its abolition. Another recommendation urges the contracting parties to create, where necessary, specialised police services for the purpose of enforcing the application of the Convention.

At the final meeting of the Conference, the Convention was signed by the delegations of the following twenty-five countries : Austria, Brazil, the United Kingdom, Canada, India, China, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, France, Greece, Japan, Mexico, the Netherlands, Panama, Poland, Portugal, Roumania, Spain, Switzerland, the Union of Soviet Socialist Republics, Uruguay and Venezuela.

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12.

INTERNATIONAL ASSISTANCE TO REFUGEES.<sup>1</sup>

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I. WORK OF THE COMMITTEE ON INTERNATIONAL ASSISTANCE  
TO REFUGEES.

At its sixteenth session, the Assembly considered a proposal by the Norwegian Government to the effect that the League should extend and develop its work in aid of refugees. It adopted a report by M. Motta which, in the first place, pointed out that the Assembly had had in view certain arrangements for winding up the Nansen International Office within a specified time-limit and according to definite budgetary rules. It expressed the opinion that the League had done useful work in the way of assisting refugees, but that, owing to the complexity of the problem, which had political, legal, humanitarian, administrative and financial aspects, further enquiries were necessary within the limits set by its previous decisions.

The Assembly held that, for political and financial reasons, these enquiries should, for the present, be confined to those categories of refugees which were already under the Nansen Office and the High Commissioner for Refugees from Germany. It requested the Council to appoint a small committee of qualified persons to draw up and submit a report, and further stipulated that the Council might — even before the ordinary session of the Assembly in 1936, to which the question would have to be referred — take any steps it deemed desirable.

The Council duly appointed a Committee on International

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<sup>1</sup> The special question of the settlement of the Assyrians from Iraq has been dealt with in Chapter 1 (Political Questions), see page 14.

Assistance to Refugees, as suggested by the Assembly, having as members :

M. Michael HANSSON (Norway), former President of the Mixed Court of Appeal of Egypt, Norwegian Member of the Permanent Court of Arbitration at The Hague, Member of the Roumano-Hungarian Mixed Arbitral Tribunal ;

M. G. DE MICHELIS, Senator, Italian Ambassador, former Commissioner-General of Emigration ;<sup>1</sup>

M. Štefan OSUSKÝ, Czechoslovak Minister at Paris, Chairman of the Supervisory Commission of the League of Nations ;

M. P. ROLAND-MARCEL, Counsellor of State, former Prefect of the Bas-Rhin (France) ;

The Rt. Hon. Sir Horace RUMBOLD (United Kingdom), Bart., P.C., G.C.B., G.C.M.G., former Ambassador.

This Committee sat at Geneva from November 28th till December 7th, 1935. Its report to the Council<sup>1</sup> (January 1936) contains an analysis of the information collected by the Committee from Governments and official bodies (such as the Inter-Governmental Advisory Commission for Refugees, the Nansen International Office for Refugees and the High Commission for Jewish and Other Refugees from Germany) and from private relief associations, both international and national, and also from the refugees' own organisations. After stating its conclusions on the main points submitted to it, the Committee made certain proposals.

Some of these relate to provisional measures: choice of a personality to act as temporary President of the Nansen International Office for Refugees; choice of another personality to ensure the continuity of the London High Commissioner's<sup>2</sup> work for Jewish and other refugees from Germany. Other proposals relate to subsequent organisation: the preparation of a scheme for the transfer of certain functions at present performed by the Nansen Office to Governments or private organisations; the

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<sup>1</sup> Document C.2.M.2.1936.XII.

<sup>2</sup> The former High Commissioner, Mr. James G. McDonald, had tendered his resignation in a letter dated December 27th, 1935.

organisation of an adequate service to deal with the problem of refugees coming from Germany, attached to the Nansen Office as an additional but separate service, or in the form of a special organisation for this purpose, etc.

At its meeting on January 22nd, 1936, the Council appointed a special Committee to lay down the main line of its decisions. This Committee duly advised, and the Council, at its meeting on January 24th, referred to the Assembly the report of the Committee on International Assistance to Refugees and its proposals concerning a subsequent organisation. It also took certain decisions of a provisional nature.

It appointed M. Michael Hansson to act as President of the Nansen International Office for Refugees until such time as the Assembly should, under the Statute of the Office, be in a position to make a definite appointment.

It further authorised its President to appoint a League High Commissioner to deal, until the 1936 ordinary session of the Assembly, with questions connected with refugees from Germany; and, on February 14th, the President appointed Major-General Sir Neill Malcolm to this post.

In accordance with the recommendations of the Committee on International Assistance to Refugees, the Acting President of the Governing Body of the Nansen International Office and the High Commissioner for Refugees from Germany will submit special reports on their work, reports which will be submitted to the Assembly by the Secretary-General, in accordance with the decision taken by the Council on January 24th, 1936.<sup>1</sup>

## II. NANSEN INTERNATIONAL OFFICE FOR REFUGEES.

### *Action by the Assembly and Council, and by the Various Bodies charged with the Refugee Work.*

The 1935 Assembly adopted a series of resolutions on the report of the Governing Body of the Nansen International Office for Refugees on the work done for Russian, Armenian, Assyrian,

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<sup>1</sup> Main reference documents: Minutes of the Ninetieth Session of the Council, Sixth Meeting, *Official Journal*, February 1936, pages 126-129.

Assyro-Chaldean, Turkish and Saar refugees.<sup>1</sup> The Assembly recommended Governments to ratify the 1933 Convention relating to an international status for refugees, to capitalise their refugee expenditure and to place the credits thus obtained at the disposal of the Office for the settlement of the refugees, and to increase the funds of the Office by the generalisation of the Nansen stamp and by the issue of surcharged postage stamps ; it urged Governments, once more, not to expel refugees unless they had obtained entry visas for another country, and requested Governments of immigration countries to continue to co-operate with the Office.

As mentioned above, the Council had under consideration, at its ninetieth session, the report of the Committee on International Assistance to Refugees. It invited Judge Michael Hansson to act as President of the Governing Body of the Office until the Assembly takes a final decision on that appointment, and to submit a revised winding-up programme on constructive lines.

The Inter-Governmental Advisory Commission for Refugees held its eighth session on October 9th and 10th, 1935, under the presidency of M. Raphaël (Greece), when it gave general indications to a special Sub-Committee appointed to represent it before the Committee on International Assistance to Refugees ; it had under consideration the annual report of the Office and the progress made with the ratification of the 1933 Convention ; finally, it appointed M. Soubbotitch (Yugoslavia) and M. Momtchiloff (Bulgaria) as member and substitute member respectively of the Governing Body of the Office in succession to M. Fotitch (Yugoslavia) and M. Antonoff (Bulgaria), respectively, who had resigned.

The Governing Body of the Office held its twelfth and thirteenth sessions on October 30th, 1935, and April 29th, 1936, respectively. At the latter meeting it created three special Commissions to examine questions of legal status, colonisation, and the raising of additional funds for the refugee work. The Joint Committee of the Governing Body, consisting of the Managing Committee and the Finance Commission met at regular intervals during the past twelve months.

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<sup>1</sup> See document A.45.1935.XII, page 123.

The Advisory Committee of Private Organisations for Refugees met at Geneva on October 8th, 1935, under the presidency of M. Raphaël, Acting President of the Governing Body of the Office, when it had under consideration, *inter alia*, the annual report of the Office to the Assembly and the Norwegian Government's proposal for the organisation of international assistance to refugees. The Committee also renewed the mandates of M. Golden, M. Petersen and Mr. MacKenzie as experts to the Inter-Governmental Advisory Commission for Refugees, and appointed in that capacity M. Maklakoff to the place rendered vacant by the death of M. Goulkévitch. It nominated Maître Rubinstein to replace M. Goulkévitch as member of the Governing Body of the Office, and M. Fedoroff to succeed Maître Rubinstein as substitute member of that organ.

*Questionnaire on the Refugee Problem.*

The Office has addressed a pressing appeal to all Governments, urging them to furnish full replies to a questionnaire on refugee problems and thus to enable the Governing Body to present an accurate survey of those problems in its report to the Assembly. This questionnaire deals with the numbers of the refugees ; of those unemployed or unemployable ; of bearers of Nansen passports ; of those in receipt of relief and of those requiring relief but not obtaining it ; and with the sums expended on refugee relief. Governments are invited to say whether they would be prepared to capitalise some of that expenditure and place the credits thus obtained at the disposal of the Office for the permanent settlement of some of the refugees. They are requested to afford information on the vexed question of expulsions and on the important matters of naturalisation facilities for refugees and their exemption from restrictions against foreign workers, to consider the possibility of emulating the example of the French and Norwegian Governments and of issuing postage stamps bearing a surcharge in favour of the settlement funds of the Office, while at the same time securing more accurate refugee statistics by generalising the Nansen passport system in respect of refugees over 18 years of age.

Finally, Governments are invited to state what steps they contemplate taking for dealing with the refugee problem after the liquidation of the Office in 1938.

*General Assistance to Refugees.*

In addition to the special activities of the Office mentioned in the following paragraphs, the Office and its representatives in Austria, Belgium, Bulgaria, China, Czechoslovakia, Danzig, Estonia, Finland, France, Germany, Greece, Latvia, Lithuania, Roumania, Syria, Turkey and Yugoslavia are called upon daily to afford individual refugees and their families very varied forms of assistance. Such interventions, amounting to more than 100,000 throughout the year, include assistance in obtaining Nansen passports; entry, exit and transit visas; in preparing and certifying a wide variety of documents; legal assistance; interventions on behalf of expelled refugees; in connection with employment, including daily advances to refugees to enable them to start small businesses; in obtaining exemption from foreign labour restrictions, naturalisations, etc.

In addition, many thousands of destitute and infirm refugees are helped by the Office by means of grants, amounting in 1935 to 119,000 Swiss francs, to organisations working for the refugees.

*Convention relating to the International Status of Refugees.*

This Convention has now received the ratification or adhesion of the Governments of Bulgaria, Czechoslovakia, Denmark, Italy and Norway. The French Chamber has also ratified the Convention, and there is reason to hope that the Senate will confirm that ratification when it reassembles. The Belgian Government has intimated its intention of submitting shortly to the Chamber a draft law for the approval of the Convention. The Estonian, Finnish, Greek, Swiss and Yugoslav Governments have intimated that, although for various reasons they are not able at the present time to ratify the Convention, they intend to apply its essential principles in their countries.

*Transfer of Armenian Refugees to Erivan and  
Liquidation of the Armenian Refugee Problem in Syria.*

On May 9th, a further convoy of 1,783 Armenian refugees, chosen from a list of 7,000 who had registered for settlement in Soviet Armenia, were transferred from France to Erivan, where the Armenian Soviet Government had made arrangements for their employment and accommodation. This transfer was effected

in close co-operation with the competent French and Soviet Armenian authorities and with the Armenian refugee organisations in France. The cost of the concentration of the refugees and of their transport to Batum was defrayed by the French Government, the Office and the Armenian refugee organisations in France ; whilst, at the request of the Office, the League of Red Cross Societies and the French Red Cross assumed responsibility for the medical care of the refugees during their concentration in France and their embarkation at Marseilles. The total number of refugees so far transferred by the Office to Erivan amounts to 10,280, the previous transfers having been effected principally from Greece and Bulgaria.

The Governing Body, in agreement with the mandatory Power, had decided to terminate the work of Armenian refugee settlement in Syria at the end of 1933. In view of the precarious situation of a considerable number of the refugees at that time, it was found necessary to adjourn the application of the plan. By the end of 1935 the Office had assisted more than 30,000 refugees to settle in urban quarters or agricultural colonies, for total advances of 11,335,132 French francs.

There still remain about 370 indigent families in the Aleppo Camp and some 250 families in hutments in Beirut who have not been able to take advantage of the settlement loans made by the Office, as their material condition affords no hope that they would be able to reimburse funds employed for their settlement. The Office has addressed a pressing appeal to international and national Phil-Armenian organisations for the comparatively modest sum of 70,000 Swiss francs estimated to be sufficient to rescue those refugees from their unhappy situation. The Governing Body has also addressed an appeal to the League and to the mandatory Power, urging that the interests of those refugees should be taken fully into consideration when the time arrives to establish the future political status of the mandated territories.

The main task now remaining for the Office in Syria consists of recovering the advances made to the refugees for their settlement and of transferring the title-deeds of their properties to the refugees as and when they liquidate their indebtedness to the Office. According to the liquidation plan, the funds thus reimbursed were either to be refunded to the donators or employed for the social welfare of the refugees in accordance with the



donators' wishes. In view, however, of the critical situation of the refugees in the Aleppo and Beirut camps, the Office is urging that the cost of their settlement shall constitute a prior charge on this year's reimbursements.

*Russian Refugees in Turkey.*

The final liquidation of the Russian refugee problem, which has occupied the attention of successive League Assemblies for some fourteen years, is now definitely in sight.

This problem had been reduced, by settlement in other countries, from many tens of thousands to about two thousand refugees, who had elected to remain in Turkey, where they had succeeded in earning their living. Unfortunately, the Turkish Government, in common with many other Governments, found it necessary to introduce legislation to protect national workers, with the result that the refugees remaining in Turkey were exposed to unemployment and consequent destitution. In response, however, to pressing appeals from the Office, the Turkish Government generously agreed to naturalise the majority of those refugees, representing, with their dependents, some 1,800 persons, and thus enable them to resume their occupations. The Turkish Government imposed a condition that about 150 who were not admitted to naturalisation should be transferred by the Office to other countries.

For various reasons, including the fact that the majority of the refugees to be evacuated from Turkey belonged to categories of workers in little demand, the Office experienced difficulty in complying with the conditions imposed by the Turkish Government. Thanks largely, however, to the co-operation of the Belgian, Greek and Yugoslav Governments, the Office was finally able to obtain temporary asylum for the refugees in question, and the Turkish Government has, in consequence, already approved the first list of some 1,250 refugees for naturalisation.

The fees for the naturalisation of the refugees have been advanced, as to 50,000 Swiss francs, by the Office, and the remaining 25,000 Swiss francs by the American Committee which has for so many years co-operated with the Office in Istanbul. As regards the cost of the temporary accommodation of the refugees in Belgium, Greece and Yugoslavia, this sum also, amounting to 10,000 Swiss francs, has been advanced from Office funds.

An urgent appeal has been made by the Office to the Danish, Norwegian and Swedish Governments to receive permanently those of the refugees who do not obtain permission to remain definitely in Belgium, Greece and Yugoslavia.

*Raising of Funds for the Refugee Work by the Issue of Surcharged Postage Stamps.*

The Norwegian and, subsequently, the French Governments responded to an appeal, made by the Office and endorsed by the Council, that Governments would issue postage stamps bearing a surcharge in favour of the funds of the Office. The issue made by the Norwegian Government consists of a series of four stamps of postal values of 10, 15, 20 and 30 öre, each bearing Dr. Nansen's portrait, and a surcharge of 10 öre. The Office understands that the surcharge on these stamps has realised about 30,000 Swiss francs during the first three and a-half months.

The French Government made an issue of a 75 centimes stamp with a surcharge of 50 centimes, half of the proceeds of which are to be transferred to the Office, the other half being reserved for refugee relief in France. The Office has already received a remittance of 44,605 French francs in respect of its share of the first two months' proceeds from that surcharge.

*Saar Refugees.*

The situation of the Saar refugees has caused the Office very grave anxiety owing largely to the entire absence of funds for their relief and settlement.

When the League, in the spring of 1935, requested the Office to assume responsibility for some 4,000 refugees who left the Saar Territory on the occasion of the plebiscite, the Governing Body accompanied its acquiescence by a request for an advance of 200,000 Swiss francs to enable it to make an immediate start with the relief and settlement of those refugees. Although the Council was not able to accede to that request, the Office, in anticipation of funds being obtained elsewhere, at once carried out a census of the Saar refugees and, on the basis of that census, drew up three plans for their settlement in South America, which were accepted by some hundreds of those refugees. Thanks to the generosity of the French Government, which has already

expended about 9,000,000 French francs on the maintenance of those refugees in France, the Office is encouraged to hope that, in the near future, it may be able to make a beginning with the settlement of about 200 Saar refugee families in Paraguay.

The Council of the League, at its eighty-fifth session in May 1935, decided to extend the Nansen passport system to the Saar refugees. The Governments of Australia, the United Kingdom, Bulgaria, Denmark, Finland, France, India, Irish Free State, Italy, Latvia, New Zealand, Norway, Poland, Switzerland and the Union of South Africa have notified their agreement.

The Austrian, Estonian, Hungarian and Turkish Governments have intimated their willingness to recognise the Nansen passports issued by other Governments to Saar refugees. On the other hand, the Czechoslovak and Swedish Governments have expressed the opinion that, as far as passports are concerned, the Saar refugees should be assimilated to German refugees.

#### *Settlement of Refugees in Overseas Countries.*

Reference has been made above to the prospects of settling a certain number of Saar refugees in Paraguay. This possibility was opened up as a result of a small mission sent by the Office to Paraguay towards the end of last year, which obtained important settlement facilities from the Paraguayan Government. Those facilities include the concession of 15,000 hectares of fertile fiscal land at about 10 Swiss francs per hectare ; free visas ; exemption from the payment of the entrance guarantee of 50 gold pesos per head ; free accommodation for a week after arrival and free transport from Asuncion to the settlement area ; and credit arrangements for the purchase of stock and agricultural implements. Thanks to those facilities, the Office has been able to draw up a plan for the transport to, and settlement in, Paraguay of an average refugee family, consisting of three adults and two children, for the extremely modest sum of about 2,000 Swiss francs. That sum includes : the transport of the family from a European port to Asuncion ; the purchase of 12 hectares of land ; the cost of clearing one hectare ; the construction of a modest house and furniture with outhouse ; a well ; agricultural implements, seeds and live-stock, as well as the maintenance of the family for the first year.

Satisfactory arrangements have also been made with the Government concerning the questions of religion, military service, naturalisation, education and the administration of the colonies.

Similar offers have been obtained from various colonisation concerns in Argentine and Brazil, but the Office is, at present, limiting its overseas settlement activities to the prosecution of the Paraguayan scheme, pending the deliberations of a special colonisation Sub-Committee created by the Governing Body to consider the whole question of overseas settlement.

### *Expulsions.*

The practice of many Governments of expelling refugees, often on the slightest pretexts, and thus exposing them to great unnecessary hardship, is still causing the Office the gravest anxiety, although its efforts to remedy the situation have been attended by a certain measure of success. Thus, an enlightened solution of this problem has been initiated by the Belgian Government, which the Office commends to the benevolent consideration of other interested Governments. This solution consists of the creation of an Inter-Ministerial Commission for the consideration of the cases of all refugees threatened with expulsion, presided over by a Judge of the Court of Appeal.

The Governing Body was also glad to note at its April session that, in future, refugees cannot be expelled from France without personal instructions from the Minister of the Interior.

### *Finance.*

The funds obtained by the Office in 1935 amounted to 542,052.95 Swiss francs, including about 340,000 Swiss francs from the Nansen stamp and 150,000 Swiss francs reimbursed by refugees in respect of advances made for their settlement. In view of the worsening economic situation of the refugees, the Governing Body decided at its April session to increase from 10 % to 50 % the proportion of its funds devoted to relief by outright grants, thus reducing to 50 % the proportion available for the constructive solution of the refugee problem. The revenue derived from surcharged stamps is, however, excluded from this arrangement.

### III. JEWISH AND OTHER REFUGEES FROM GERMANY.

Among other decisions reached on January 24th, 1936,<sup>1</sup> the Council resolved that the High Commissioner should take certain steps which would enable him to inform the Assembly as to the general situation regarding Jewish and other refugees from Germany. The High Commissioner's instructions were :

(a) To prepare and arrange, in agreement with the Secretary-General, for the meeting of an Inter-Governmental Conference to establish a system of legal protection for refugees from Germany ; in addition to the States Members of the League, the United States of America and Brazil were also to be invited ;

(b) To consult the different Governments as to the possibilities of placing refugees and finding employment for them, and the conditions under which this could be done ;

(c) To get into touch, where he thought it desirable, and in such manner as might seem best, with private associations for the relief of refugees and their emigration and employment, the activities of these associations being recognised by the League as useful.

By arrangement with the Secretary-General, the High Commissioner summoned an Inter-Governmental Conference to be held at Geneva on July 2nd, 1936, having first drawn up a provisional programme. The first point on this programme is the preparation of a provisional agreement as to the status of German refugees, in order to provide a system of legal protection for them as soon as possible, pending the entry into force of a permanent convention. The preparation of such a convention is also on the programme. The Conference will further have to consider how facilities can be obtained from the authorities of the refugees' home country for identification and other papers to be issued to them.

A draft provisional agreement was prepared by the High Commissioner and communicated to the Governments concerned. Further, as requested, he approached the principal Governments as to possibilities of employment for the refugees. For this

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<sup>1</sup> Already mentioned above, page 206 (see also *Official Journal*, February 1936, page 128).

purpose, he visited the capitals of the countries which, being geographically contiguous to Germany, have received a considerable influx of German refugees. Consultations are proceeding with certain other Governments interested in the problem of finding employment for refugees or in their emigration.

The Advisory Committee of the former McDonald High Commission having been dissolved, the new Commissioner has taken certain steps to ensure contact between the various organisations dealing with refugees. There is every reason to hope that these organisations will continue to give their assistance, although they are being considerably hampered by the economic depression.

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**13.**

**INTELLECTUAL CO-OPERATION.**

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The various Committees of the Intellectual Co-operation Organisation will be holding their annual meetings between July 8th and July 18th, 1936, at Geneva.

A summary of the activities of the Organisation can therefore only be included in Part II of the annual report, to be published in September 1936.

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14.

INTERNATIONAL BUREAUX.

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I. RELATIONS WITH INTERNATIONAL BUREAUX.

Since the last session of the Assembly, there has been no change in the number of international bureaux placed under the direction of the League in accordance with Article 24 of the Covenant.

1. *International Hydrographic Bureau.*

This Bureau has continued to forward to the Secretariat all the publications, reports, and circular letters addressed to its Member States.

The Auditor of the League of Nations has, as usual, audited the accounts of the Bureau for the past financial year.

The next International Hydrographic Conference is to be held at Monte Carlo in 1937.

2. *International Commission for Air Navigation.*

This Commission has forwarded all its publications to the Secretariat and has remained in continuous touch with the Communications and Transit Organisation.

The Communications and Transit Organisation was represented at the twenty-fourth session of the International Commission, held at Warsaw from May 22nd to 29th, 1936.

The International Commission, for its part, was represented at the nineteenth session of the Advisory and Technical Committee for Communications and Transit, held at Geneva from November 5th to 9th, 1935.



3. *International Central Office for the Control of the Liquor Traffic in Africa.*

The International Central Office has remained in continuous touch with the League Secretariat, to which, in conformity with Article 7 of the Convention of St. Germain concerning the control of the liquor traffic in Africa, it has forwarded all information received from States parties to the Convention.

4. *International Bureau for Information and Enquiries regarding Relief to Foreigners.*

A certain amount of information has been exchanged during the past year between this Bureau and the Secretariat.

5. *Nansen International Office for Refugees.*

The work of the Nansen International Office for Refugees is surveyed in the chapter on International Assistance to Refugees, page 206.

6. *International Exhibition Bureau.*

This Bureau has continued to forward to the Secretariat its publications and information concerning its work.

The Secretariat was represented at the seventh session of the Governing Body of the Bureau, held at Brussels in July 1935, and at the eighth session, held at Paris on November 13th and 14th, 1935.

II. RELATIONS WITH INTERNATIONAL ORGANISATIONS.

1. *General Observations.*

The Secretariat has continued to collect documentation with regard to the activities of public and private international organisations, and the material assembled has enabled the Secretariat to respond to a considerable number of requests for information.

2. - *Publications.*

(a) *Bulletin of Information on the Work of International Organisations.*

For reasons of economy, the *Bulletin* has appeared only twice during the year. The information contained in the

*Bulletin* on the congresses and meetings held by international organisations is based on particulars forwarded by the organisations themselves.

(b) *Handbook of International Organisations.*

A new complete edition of the *Handbook of International Organisations*, which, for reasons of economy, had not been issued since 1929, has recently appeared in French. It contains particulars of more than 600 organisations, supplied by those organisations themselves. An English edition will appear in 1937.

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15.

**BUDGETARY AND ADMINISTRATIVE QUESTIONS.**

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**I. ACCOUNTS FOR THE YEAR 1935.**

The accounts for the year 1935 were examined by the Auditor and considered by the Supervisory Commission, whose report is submitted to the 1936 Assembly.<sup>1</sup>

**II. GENERAL FINANCIAL RESULTS OF THE YEAR 1935.**

The budget amounted to 30,639,664 gold francs, but expenditure was only 25,589,115 gold francs. Receipts in respect of the current year amounted to a total of 27,047,853 francs, and the total receipts, including payments in respect of previous years, were 35,828,404 francs. In consequence of appropriations for the Guarantee and Reserve Funds, decided upon by the 1935 Assembly, the cash surplus for the year 1935 amounts to 9,034,280 gold francs.

This exceptionally favourable result has been due to :

(i) Payments amounting to 8,780,551 francs in respect of arrears, 5,229,343 francs of which come from two States that have withdrawn from the League ;

(ii) Greater regularity in the payment of current contributions, the amount of which increased from 72% on the 1934 budget in 1934 to 88¼% on the 1935 budget in 1935 ;

(iii) Economies by the Administrations (see the Auditor's observations on this subject).<sup>2</sup>

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<sup>1</sup> Document A.5.1936.X.

<sup>2</sup> Document A.3.1936.X.

It should be emphasised that such a situation cannot recur. Owing to the arrangements concluded with different States thanks to very effective action of the Special Committee set up by the Assembly the sums received in respect of contributions in arrear, which have so materially contributed to the size of the surplus for 1935, will in future be considerably reduced. At the same time, the establishment of the Guarantee Fund, the object of which was to enable contributions to be reduced, has had the effect of curtailing, if not altogether eliminating, the margin of elasticity previously provided in the budget in the shape of certain credits on which large savings were effected every year.

### III. FINANCIAL POSITION OF THE LEAGUE OF NATIONS ON JUNE 1ST, 1936.

#### *Results of the First Five Months.*

During the first five months of the year 1936, the amount of contributions received totalled 13,102,576 francs, or 46.33% of the budget, as against 14,671,314 francs, or 47.88% of the budget for the corresponding period last year.

Of the sums paid, 11,490,630 francs represented payments in respect of the current year and 1,611,946 francs in respect of arrears.

#### *General Situation and Disposal of the Surplus for 1935.*

For the reason stated at the end of Section II above, the Supervisory Commission thought it desirable to devote part of the present surplus to the consolidation of the financial system of the League of Nations, by providing against the very real risks of the future and reserving the credits necessary to meet certain long-term liabilities which it had not yet been possible to begin to write down. Accordingly, after providing for the refund to the States Members of a sum sufficient to keep contributions at the present level, and after setting aside the amount necessary for the completion of the programme of extension of the International Labour Office building, the Commission

recommended the Assembly to appropriate the following sums from the surplus for 1935 :

	Francs
(i) <i>Reserve Fund</i> . . . . .	4,500,000

This Fund was created by the 1935 Assembly and its object is “ to ensure that the expenses of the League of Nations are duly met within the limits of the budget voted by the Assembly ”.

(ii) <i>Guarantee Fund</i> . . . . .	1,200,000
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This figure corresponds to the amount of the aggregate deductions made from the 1937 budget in accordance with the principles adopted by the 1935 Assembly.

(iii) <i>Provident Fund</i> . . . . .	25,881
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This figure represents the complete writing-off of the losses of the Provident Fund up to December 31st, 1935.

(iv) <i>Pensions Fund of the members of the Court.</i> . . . . .	714,750
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The pensions system for members of the Court set up by the 1924 Assembly has recently been valued by the Consulting Actuary of the Pensions Fund of the League of Nations. The plan devised for the financing of the pensions system of the members of the Court is summarised in the Supervisory Commission's report ; it includes annual payments, spread over fifteen years, of 80,766 Dutch florins in order to pay off the arrears due in respect of the present judges and those who have already retired.

The Supervisory Commission's last report shows a material improvement in the financial situation of the League of Nations, which may now be regarded as on a sound basis.

#### IV. BUDGET FOR THE YEAR 1937.

The total budget for 1937, including the budgets of the Secretariat, the International Labour Organisation and the

Permanent Court of International Justice, amounts to 28,729,497 gold francs.

The budget of the Secretariat, which amounts to 14,645,963 francs, seems at first sight to show an increase of 54,328 francs as compared with the figure adopted by the Assembly for 1936. But a credit of 750,000 francs to meet the new expenditure arising out of the occupation of the new buildings disappears from Part VI of the budget. The budget of the Secretariat as a whole is therefore really 695,672 francs less than that for the current year.

On the other hand, the sum for which the Members of the League of Nations are liable in respect of the International Labour Organisation is 909,212 francs more than the corresponding figure for the current year. This increase is almost entirely due to the fact that, owing to the receipt in 1936 of a double contribution from States not Members of the League of Nations, the contribution for which the States Members are liable for the current year in respect of the International Labour Organisation is exceptionally low; the year 1937 will see a reversion to the normal system of single contributions.

The increase in the budget of the Permanent Court of International Justice, which amounts to 240,133 francs as compared with the current year, is entirely due to the increase of credits for pensions of the members of the Court,<sup>1</sup> and to an exceptional allowance to the widow of a deceased judge.

Thanks to the refund to the States Members of part of the surplus for 1935, the contributions for 1937 have been fixed at a figure approximately equal to those for 1936; moreover, the value of the unit would be further reduced by the adoption of the new scale of allocation drawn up by the Committee set up for this purpose by the 1935 Assembly.<sup>2</sup>

## V. CONTRIBUTIONS IN ARREAR.

At its last session, the Assembly approved the recommendations of the Special Committee in the case of the contributions

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<sup>1</sup> See above.

<sup>2</sup> See Chapter 6, page 129.

of ten States ; the resulting payment of considerable sums in respect of arrears has largely contributed to the present satisfactory financial position of the League.

The Chairman of the Committee has entered into negotiations with the representatives of certain other States in arrears with their contributions with a view to preparing for the next session of the Committee, which will be held during the summer.

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16.

LEGAL AND CONSTITUTIONAL QUESTIONS.

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I. MEMBERSHIP OF THE LEAGUE OF NATIONS AND OF THE COUNCIL :  
CHANGES DURING THE YEAR 1935/36.

In a letter to the Secretary-General received on October 21st, 1933, Germany gave notice of withdrawal from the League of Nations under Article 1, paragraph 3, of the Covenant. The period of notice required being two years, Germany ceased, on October 21st, 1935, to be a Member of the League of Nations.

In a letter to the Secretary-General received on May 26th, 1936, the Government of Guatemala gave notice of withdrawal under Article 1, paragraph 3, of the Covenant.

In a telegram to the Secretary-General, received on June 27th, 1936, the Government of Nicaragua gave notice of withdrawal under Article 1, paragraph 3, of the Covenant.

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On September 16th, 1935, Poland was re-elected and Ecuador and Roumania were elected Members of the Council. On the same date, the United States of Mexico and Czechoslovakia ceased to be Members of the Council.

On October 21st, 1935, Germany ceased to be a Member of the Council.<sup>1</sup>

II. QUESTION OF THE NUMBER OF THE MEMBERS  
OF THE COUNCIL.

In 1933, the Council and the Assembly, as the result of the enquiry made, on the initiative of Portugal, into the question of

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<sup>1</sup> The composition of the League and of the Council in the year 1935/36, as it stood on October 22nd, 1935, is shown in document C.428.M.219.1935.



the representation on the Council of Members of the League which do not belong to any of the groups habitually enjoying such representation, created a tenth non-permanent seat on the Council. This was a provisional measure for a period of three years only, and was adopted on the understanding that the question of the number of the Members of the Council would be reconsidered before the end of this period. On September 26th, 1935, the Council set up a Committee of representatives of certain Members of the League to carry out the contemplated enquiry and also to examine proposals made to the Council by the Chinese Government with regard to the representation of Asia, and in particular of China, on the Council.

The Committee's report<sup>1</sup> recommends that, in view of present circumstances, a purely provisional solution should be adopted by which the number of the non-permanent Members of the Council would be fixed at eleven for a limited period. Nine members of the Committee considered that this period should be three years; five members, that it should be one year. One of the two new seats would be intended for the non-grouped States; the other would be intended for Asia, and the Committee expressed itself in favour of China's re-entering the Council at the election of this year.

On May 13th, after a brief exchange of views between certain of its Members, the Council decided to adjourn action on the report until it should have been considered by the Assembly, and to transmit to the Assembly the Minutes of its discussion.

### III. CONSTITUTION, PROCEDURE, AND PRACTICE OF LEAGUE COMMITTEES.<sup>2</sup>

On September 28th, 1935, the Assembly (sixteenth session) adopted a report by its Second Committee<sup>3</sup> giving general approval to the report of the Special Committee appointed to enquire into the constitution, procedure, and practice of League Committees, which had met at Geneva in June 1935. The Assembly asked the Council to arrange for a number of the

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<sup>1</sup> Document A.9.1936.V.

<sup>2</sup> See previous annual report, Part II (document A.6(a).1935, page 62).

<sup>3</sup> Document A.70.1935.

Special Committee's suggestions to be put into effect, and the Council proceeded to do so on January 24th, 1935 (ninetieth session).

The Special Committee considered that the essential principles of the League's technical organisations, as established in 1920, were sound, provided that there was better co-ordination. It found, however, some defects which it seemed desirable to remedy. In submitting his report to the Council,<sup>1</sup> the French representative, Rapporteur, said he had thought it proper to embody the general principles already sanctioned by a vote of the Assembly in practical rules which would ensure their strict observance. He accordingly submitted a set of "General Regulations on Committees", to apply to all League Committees in future, except where the Council might decide otherwise. These regulations deal with the appointment of Committees, their term of office, their duties, their programmes of work, and other matters. The Rapporteur observed that the authors of the draft regulations had attempted to translate into a few very simple clauses the two points on which the Committee of Experts laid special stress — the need for introducing more method and unity into the work of the technical committees and the need for protecting the League's technical work against the danger of routine.

He further suggested some practical measures to give effect to the new reforms agreed to or contemplated by the Assembly in the case of certain Committees to whose constitution, procedure, and practice the Special Committee had devoted particular attention. The Council decided that the "General Regulations on Committees" should be put into force, and agreed to the Rapporteur's other proposals.

In accordance with the Council's decisions, the League Committees — with the exception of those which had been temporarily left outside the scope of the reforms advocated by the Special Committee and the Assembly — which had statutes or rules of procedure of their own undertook to bring those rules into line with the "General Regulations on Committees". According to the Regulations, this adjustment must be completed by the end of 1936. The application of the measures decided

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<sup>1</sup> *Official Journal*, February 1936, pages 129 *et seq.*

upon by the Council in regard to certain specified Committees has also been begun.

On May 13th, 1936 (ninety-second session), the Council had before it a report by the French representative<sup>1</sup> on the action taken in regard to the Advisory Committee of Experts on Slavery, the Advisory Commission for the Protection and Welfare of Children and Young People, the Advisory and Technical Committee for Communications and Transit, and the Health Committee.

The question of the constitution, procedure, and practice of League Committees has been placed on the agenda of the seventeenth session of the Assembly, so that the Assembly may have an opportunity of considering such of the Council's decisions as call for action on its part.

#### IV. COMMITTEE ON THE REPRESSION OF TERRORISM.

The Committee on the Repression of Terrorism, which was appointed by the Council on December 10th, 1934, as a result of the assassination of His Majesty King Alexander of Yugoslavia and M. Barthou, has adopted a report<sup>2</sup> in which it puts forward two draft Conventions. The first contains provisions intended to ensure "international co-operation for the prevention and punishment of terrorism". The second provides for the creation of an international criminal court for the trial of persons who are accused of an offence dealt with in the first Convention and are brought before the court by the contracting party in whose territory they are, instead of being prosecuted in that territory or extradited.

On January 23rd, 1936, the Council directed the Secretary-General to ask the Governments for observations on the Committee's proposals and decided to transmit the report to the Assembly for consideration, together with the Governments' observations. The Committee's proposals include the suggestion that the procedure laid down by the Assembly in 1931 for the

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<sup>1</sup> See *Official Journal*, June 1936, page 557.

<sup>2</sup> Document A.7.1936.V.

conclusion of conventions under the auspices of the League<sup>1</sup> might be shortened and a diplomatic conference be convened in 1937 for consideration of the draft Conventions.

#### V. ENTRY INTO FORCE OF THE AMENDMENTS TO THE STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

In accordance with decisions taken by the Assembly on September 27th, 1935, and by the Council on January 23rd, 1936, the Secretary-General notified the Members of the League, the non-member States which are parties to the Protocol of Signature of the Statute of the Permanent Court of International Justice, and the Registrar of the Court that the Protocol of September 14th, 1929, concerning the revision of the Statute of the Court came into force on February 1st, 1936.

#### VI. CONDITIONS OF VOTING REQUESTS FOR ADVISORY OPINIONS ADDRESSED TO THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

On January 22nd and 23rd, 1936, the Council had before it the resolution adopted by the Assembly on September 28th, 1935, which asks that this question may be examined by the Council.

The Council decided, in the first instance, to invite the Members of the League to express their considered views upon the question. To facilitate this study, it directed the Secretary-General to furnish the Governments with a memorandum calling attention to the occasions on which the problem had been discussed by various League organs, and giving references to the principal authors who have examined it.

#### VII. WORK OF THE INTERNATIONAL INSTITUTE AT ROME FOR THE UNIFICATION OF PRIVATE LAW<sup>2</sup> (SEPTEMBER 1935 TO JUNE 15TH, 1936).

The Institute continued its work during the year in the direction which had already been found to lead towards the desired result of unification.

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<sup>1</sup> See resolution of September 25th, 1931.

<sup>2</sup> See the previous annual report, Part II (document A.6(a).1935, pages 59-62).

*Draft Uniform Laws submitted to Governments for Examination.*

In accordance with the decision reached by the Council of the League on January 14th, 1935, the League Secretariat transmitted to Governments for examination the texts of the first two drafts prepared by the Institute: that of an international law on sales, and that of a uniform law on the civil liability of hotel-keepers.

Replies have so far been received from the Union of South Africa, Venezuela, India, Estonia, Belgium, Austria, China, and Latvia.

It is most desirable that the other Governments should send in their observations without delay, so that the two drafts can be submitted to a diplomatic conference.

*Arbitration.*

The preliminary draft international law on arbitration in private law, in the text arrived at by the Committee of Experts in July 1935, and the accompanying explanatory statement, were submitted to the principal national and international organisations and associations. Having regard to the views expressed and the suggestions made by these bodies, especially those of the International Chamber of Commerce, the Committee, sitting at San Remo from April 16th to 20th, 1936, decided upon the final text of the preliminary draft. As soon as it has completed the accompanying explanatory statement at another meeting, the draft and the statement will be submitted to the Council of the League.

*Civil Liability of Motorists.*

Work on the subject of the civil liability of motorists is well advanced. The ample material provided by the Secretariat enabled the Committee of Experts, at its second session (Milan, March 27th-31st, 1936), to sketch the outline of a preliminary draft uniform law.

At the same time, the Committee of Experts, with the assistance of the Institute's secretariat, entered upon a study of the question of the compulsory insurance of motorists against third-party risks, with a view to preparing a preliminary draft uniform law on the subject. The fundamental principles of such a law were laid down.

### *Contracts between Absent Persons.*

The Committee of Experts appointed by the President of the Institute to study the conclusion of contracts between absent persons held a second session in Rome from October 1st to 3rd, 1935. Four meetings took place, at which the Committee discussed the preliminary draft and the accompanying report by its rapporteur, M. Meijers, and framed a new draft based upon it.

Some amendments to this draft, proposed by M. Meijers in consequence of a talk with Sir Cecil J. B. Hurst, were transmitted to members during the year.

The draft provisionally approved by the Committee at its session in Rome in October 1935, and the proposals advanced by M. Meijers, will be discussed by the Committee at its next session, when it will also consider the question of contracts concluded by agents, on which the Institute has prepared a preliminary study.

### *Intellectual Rights.*

The Institute has continued to take part in the annual meetings, convened by the Intellectual Co-operation Organisation, of representatives of international institutions concerned with intellectual rights.

The Committee on Intellectual Rights, set up at the beginning of 1935, again met at Rome on September 28th and 29th, 1935, to consider what had been done in consequence of the decisions reached on April 27th and 28th, 1935.

*Possibility of bringing the Berne and Havana Conventions into harmony.* — By a resolution dated September 28th, 1935, the Assembly of the League of Nations asked the Institute of Intellectual Co-operation and the International Institute for the Unification of Private Law "to promote, by bringing into harmony the Berne and Havana Conventions, the conclusion of a general agreement affording effective protection to intellectual works in countries of both continents".

In consequence of this resolution, the two Institutes formed a Committee of Experts, which met on the premises of the Intellectual Co-operation Institute in Paris on April 1st, 2nd, and 25th, 1936, the Institute being represented by M. Asquini and M. Capitani.

The work of this Committee resulted in the preparation of a preliminary draft of a general convention for the protection of authors' rights.

The Brazilian Government had invited the Institute to take part in the meeting of the Brazilian Commission at Rio de Janeiro in October 1935. That Commission has taken up the work of the Pan-American Commission set up to frame a preliminary draft Convention for the purpose of reconciling the demands of the American Governments with the principles laid down in the Berne Convention as revised at Rome. M. Asquini was present as representative of the Institute.

*Translators' Rights.* — On the subject of translators' rights, a preliminary report, the broad lines of which were agreed to by the Committee, had been drawn up, and the Institute is now preparing the final report, with the assistance of the International Institute of Intellectual Co-operation.

*Performers' Rights.* — The Institute had prepared a report on the present situation in regard to this question and the best way of arriving at a satisfactory solution. The Committee endorsed the Institute's conclusion that a real international regulation of performers' rights should be established by an international labour Convention.

The Committee of Representatives of International Institutions concerned with Intellectual Rights expressed the same view at its meeting on May 8th, 1936. It found, in its resolution, that "the time would seem to be ripe for envisaging the solution of this question by means of an international Convention", and asked the International Committee on Intellectual Co-operation "to call the attention of the Governing Body of the International Labour Office to the urgency of placing the question of performers' rights on the agenda of the International Labour Conference".

The Institute will continue its technical work in close touch with the International Labour Office.

*Rights of Persons co-operating in the Creation of Cinema Films.* — After careful study, the Institute, in collaboration with the International Educational Cinematographic Institute and with the assistance of a lawyer, M. De Sanctis, of the Italian Authors' and Publishers' Society, drafted a proposal for submission to the Brussels Diplomatic Conference for the revision of the Berne Convention, to

the effect that two new paragraphs should be added to Article 14. The formula suggested by the Institute would eliminate the difficulties encountered by previous proposals for settling the question of the rights of persons co-operating in the creation of films.<sup>1</sup>

#### *Maintenance Obligations.*

In accordance with the decision reached by the Council in September 1935, the Institute has continued its work on the question of maintenance obligations. In a survey which is now in the press, it has studied the question from the standpoint of comparative law. In a first annex, also in the press, the laws of the most important countries are synoptically tabulated.

The League's Committee of Experts on Assistance to Indigent Foreigners and the Enforcement of Maintenance Obligations abroad, which has been requested by the Council of the League of Nations to study the problem of the enforcement of maintenance obligations abroad, considered the Institute's work on the subject at its meeting on January 31st, 1936, and, in its resolution, instructed its secretariat to make contact with the Rome Institute and take part in its meetings on the question, so as to keep abreast of the Institute's work.<sup>2</sup>

A Committee of Experts will meet in the autumn of 1936 to draft an international Convention on the enforcement of maintenance obligations abroad, and may also consider the possibility of establishing a uniform law on maintenance obligations.

#### *Other Questions under Consideration.*

At the request of the League Secretariat, the Governing Body has decided that the Institute shall undertake a study of the legal effects of clearing agreements in private law on the position of the creditor-exporter and the debtor-importer. The Institute is collecting the necessary material from the different countries.

Another question referred to the Institute by the League Secretariat is that of the international codification of the rules governing the opening of confirmed credits at banks. The Governing Body has appointed Mr. Gutteridge and M. Hamel to make preparations for the work, which will be done in consultation with the International Chamber of Commerce.

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<sup>1</sup> Volume III, page 60, of the Preparatory Documents for the Conference.

<sup>2</sup> See also page 175.



Under M. Hamel's direction, the Institute has started enquiries regarding stock exchanges. The countries so far covered by the investigation are Belgium, the United Kingdom, France, Germany, Italy, the Netherlands, Switzerland, and the United States. The subjects dealt with are the forced execution of stock-exchange contracts, the pleading of the Gaming Act, and the claiming of bearer securities whose owners are dispossessed. The enquiries have revealed, in respect of each country, the main points of the regulations and the tendencies of jurisprudence and doctrine which combine to produce the system in force, everything which presents no genuine legal interest being ignored. This investigation will provide a basis for the preparatory work for the drafting of a uniform law.

The Institute has also continued its study of reinsurance contracts. M. de Mori, President of the International Fascist Reinsurance Syndicate, has lately completed an exhaustive survey of comparative law on the question. The preliminary work being well advanced, the Institute contemplates setting up a committee of jurists with special knowledge of insurance to consider the possibility of framing a draft uniform law on reinsurance contracts.

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During the year, the Institute suffered a severe blow by the death of M. Jules Destrée, a member of the Governing Body. On January 22nd, 1936, M. Alberto Asquini was appointed a member of the Governing Body by the League Council, in place of M. Alfredo Rocco, and on May 13th, 1936, M. Léon Hennebicq, former President of the Council of the Bar at the Brussels Court of Appeal, and President of the International Institute of Commerce, was appointed in succession to M. Destrée.

M. Östen Undén has resigned his membership of the Governing Body for personal reasons.

The Governing Body held its ninth session from September 28th to 30th, 1935.

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The Library, though chiefly used for the Institute's work, is so rich in material (it contained 28,300 volumes on June 30th, 1936, 3,500 volumes having been added since October 1935) as to attract an increasing number of lawyers from every country.

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17.

PRESENT SITUATION WITH REGARD TO INTERNATIONAL ENGAGEMENTS REGISTERED WITH THE SECRETARIAT OF THE LEAGUE OF NATIONS.

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REGISTRATION AND PUBLICATION OF TREATIES  
AND INTERNATIONAL ENGAGEMENTS.

(Article 18 of the Covenant.)

As in previous years, the registration of treaties by the Secretariat has been carried out according to the method laid down by the memorandum approved by the Council of the League of Nations on May 19th, 1920.

Between May 19th, 1920, and May 19th, 1936, 3,898 treaties and international engagements have been submitted for registration, 243 of which were submitted during the period between May 19th, 1935, and May 19th, 1936.

The treaties registered have, as in previous years, dealt with very various subjects, as may be seen by consulting the following list, which gives a general idea of the character of the agreements registered during the period in question. Some of the treaties mentioned in the list, and dealing with several subjects, may be classified under several heads.

*Permanent Court of International Justice.*

Registration  
No.

3822      General Protocol.

3877      General Protocol.

*Arbitration, Conciliation and Pacific Settlement.*

Registration  
No.

- |      |   |
|------|---|
| 2664 | Switzerland and Turkey.                         |
| 3665 | Switzerland and Turkey.                         |
| 3696 | Great Britain and Northern Ireland and Hungary. |
| 3710 | Norway and Turkey.                              |
| 3715 | Turkey and Yugoslavia.                          |
| 3743 | Spain and Panama.                               |
| 3778 | Japan and the Netherlands.                      |
| 3814 | Roumania and Turkey.                            |
| 3850 | Bulgaria and Spain.                             |
| 3873 | Iceland and Finland.                            |
| 3882 | Norway and Venezuela.                           |

*Treaties of Peace, Friendship, etc.*

Registration  
No.

- |      |                         |
|------|-------------------------|
| 3656 | Egypt and Switzerland.  |
| 3666 | Persia and Switzerland. |
| 3742 | Latvia and Persia.      |
| 3786 | Colombia and Peru.      |

*Treaties of Non-aggression.*

Registration  
No.

- |      |                     |
|------|---------------------|
| 3781 | General Convention. |
|------|---------------------|

*Rights and Duties of States.*

Registration  
No.

- |      |                 |
|------|-----------------|
| 3802 | General Treaty. |
|------|-----------------|

*Mutual Assistance.*

Registration  
No.

- |      |   |
|------|---|
| 3677 | Czechoslovakia and the Union of Soviet Socialist Republics. |
| 3881 | France and the Union of Soviet Socialist Republics.         |

*General Relations.*

Registration  
No.

- 3738 China and France.
- 3782 Germany and the United States of America.
- 3895 Afghanistan and the United States of America.

*Commerce, Navigation and Customs.*

Registration  
No.

- 3657 New Zealand and Sweden.
- 3659 The United States of America and Czechoslovakia.
- 3661 Spain and Roumania.
- 3674 Latvia and Lithuania.
- 3678 Spain and Estonia.
- 3681 The United States of America and the Economic Union of Belgium and Luxemburg.
- 3684 Bulgaria and Hungary.
- 3685 Poland and Switzerland.
- 3688 The Union of South Africa and the Netherlands.
- 3689 Germany and Denmark.
- 3690 Finland and Turkey.
- 3699 Great Britain and Northern Ireland and Italy.
- 3702 Italy and Sweden.
- 3707 The United States of America and Sweden.
- 3709 The United States of America and Haiti.
- 3713 Norway and Portugal.
- 3717 Austria and Greece.
- 3718 Czechoslovakia and the Union of Soviet Socialist Republics.
- 3737 The United States of America and the Union of Soviet Socialist Republics.
- 3740 Great Britain and Northern Ireland and Poland.
- 3744 Italy and Norway.
- 3746 Spain and Sweden.
- 3760 Denmark and Portugal.
- 3772 Great Britain and Northern Ireland and Roumania.
- 3773 Denmark and Spain.
- 3777 Spain and Italy.
- 3779 Italy and the Netherlands.
- 3780 The Netherlands and Poland.

*Commerce, Navigation and Customs (continued).*

Registration

No.	
3783	Iraq and Sweden.
3791	Spain and Uruguay.
3798	Estonia and Sweden.
3801	General Convention.
3812	Great Britain and Northern Ireland and the Netherlands.
3813	Great Britain and Northern Ireland and the Netherlands.
3816	Greece and Sweden.
3817	Germany and Spain.
3826	Belgium and France.
3828	The Netherlands and Uruguay.
3830	France and the Netherlands.
3834	Germany and Latvia.
3837	Spain and Switzerland.
3838	Spain and Turkey.
3840	The United States of America and Brazil.
3841	Finland and Czechoslovakia.
3855	Spain and the Irish Free State.
3856	Spain and France.
3858	Sweden and Turkey.
3860	Great Britain and Northern Ireland and Turkey.
3866	France and Sweden.
3876	The United States of America and Honduras.
3878	France and the Union of Soviet Socialist Republics.
3885	Spain and the Netherlands.
3887	The Economic Union of Belgium and Luxemburg and Poland.
3890	Estonia and France.
3891	Estonia and Finland.

*Economic and Financial Conventions  
and Conventions regarding Taxes.*

Registration

No.	
3672	Estonia and Latvia.
3673	Estonia and Latvia.
3675	Latvia and Lithuania.

*Economic and Financial Conventions  
and Conventions regarding Taxes (continued).*

Registration  
No.

- |      |   |
|------|---|
| 3679 | Spain and Estonia.  |
| 3683 | Germany and Finland.  |
| 3686 | Germany and the Netherlands.                                |
| 3697 | Great Britain and Northern Ireland and France.              |
| 3700 | Brazil and Great Britain and Northern Ireland.              |
| 3703 | Italy and Sweden.   |
| 3704 | Germany and Sweden.   |
| 3711 | Germany and Norway.   |
| 3721 | Belgium and the Grand-Duchy of Luxemburg.                   |
| 3722 | Belgium and the Grand-Duchy of Luxemburg.                   |
| 3723 | Belgium and the Grand-Duchy of Luxemburg.                   |
| 3745 | Italy and Norway.   |
| 3752 | Austria and Hungary.  |
| 3762 | Germany and Great Britain and Northern Ireland.             |
| 3784 | Germany and Sweden.   |
| 3785 | Germany and Sweden.   |
| 3789 | General Convention.   |
| 3790 | General Convention.   |
| 3795 | The United States of America and France.                    |
| 3796 | Belgium and the Netherlands.                                |
| 3797 | Denmark, Finland, Iceland, Norway and Sweden.               |
| 3800 | Afghanistan and the Union of Soviet Socialist<br>Republics. |
| 3815 | Finland and Roumania.                                       |
| 3819 | Italy and the Netherlands.                                  |
| 3829 | Bulgaria and the Netherlands.                               |
| 3843 | Bulgaria and Spain.   |
| 3844 | Great Britain and Northern Ireland and Spain.               |
| 3849 | The United States of America and Belgium.                   |
| 3859 | Sweden and Turkey.  |
| 3867 | Roumania and Czechoslovakia.                                |
| 3868 | Roumania and Czechoslovakia.                                |
| 3869 | Roumania and Czechoslovakia.                                |
| 3871 | Roumania and Czechoslovakia.                                |
| 3872 | Roumania and Czechoslovakia.                                |
| 3883 | Germany and Sweden.   |

*Economic and Financial Conventions  
and Conventions regarding Taxes (continued).*

Registration  
No.

- 3884 Germany and Sweden.
- 3888 Estonia and Latvia.
- 3897 Great Britain and Northern Ireland and Greece.

*Intellectual and Artistic Relations.*

Registration  
No.

- 3682 The United States of America and the Argentine Republic.
- 3720 Bulgaria and Poland.
- 3753 Austria and Hungary.
- 3757 Hungary and Poland.
- 3758 Hungary and Italy.
- 3759 Austria and Hungary.
- 3776 Colombia and Spain.
- 3818 Spain and Salvador.
- 3836 Spain and Nicaragua.
- 3847 Spain and Nicaragua.
- 3854 Spain and Guatemala.
- 3874 General Treaty. †

*Judicial and Extradition Conventions.*

Registration  
No.

- 3658 The United States of America and Estonia.
- 3662 Switzerland and Turkey.
- 3667 The United States of America and Switzerland.
- 3668 Belgium and Ecuador.
- 3669 Belgium and Denmark.
- 3676 Switzerland and Turkey.
- 3708 The United States of America and San Marino.
- 3712 Denmark and Finland.
- 3724 Belgium and Nicaragua.
- 3725 Belgium and France.
- 3727 Great Britain and Northern Ireland and Czechoslovakia.
- 3728 The United States of America and Bulgaria.

*Judicial and Extradition Conventions (continued).*

Registration  
No.

- |      |  |
|------|--|
| 3729 | Belgium and Guatemala.   |
| 3736 | The United States of America and Czechoslovakia.                             |
| 3747 | Belgium and Chile.   |
| 3748 | Denmark and Lithuania.   |
| 3751 | Denmark and France.  |
| 3756 | France and Hungary.  |
| 3761 | The United States of America and Great Britain<br>and Northern Ireland.      |
| 3763 | Great Britain and Northern Ireland and Switzerland.                          |
| 3794 | The United States of America and Belgium.                                    |
| 3803 | General Convention.  |
| 3821 | Finland and Sweden.  |
| 3823 | Austria and Great Britain and Northern Ireland.                              |
| 3831 | Estonia, Latvia and Lithuania.   |
| 3832 | Estonia and Latvia.  |
| 3833 | Estonia, Latvia and Lithuania.   |
| 3839 | The United States of America and Albania.                                    |
| 3848 | Belgium and Costa Rica.  |
| 3853 | The Argentine Republic and Spain.  |
| 3857 | Belgium and Honduras.  |
| 3863 | Estonia and Hungary.   |
| 3875 | The United States of America and the Union of<br>Soviet Socialist Republics. |
| 3893 | The United States of America and the Grand-<br>Duchy of Luxemburg.           |

*Delimitation of Frontiers, Frontier Traffic and Similar Questions.*

Registration  
No.

- |      |  |
|------|--|
| 3680 | Germany and Denmark.                                       |
| 3731 | The Economic Union of Belgium and Luxemburg<br>and France. |
| 3755 | Belgium and France.  |
| 3766 | Great Britain and Northern Ireland and China.              |
| 3793 | Roumania and Czechoslovakia.                               |
| 3807 | Germany and Belgium.                                       |
| 3808 | Germany and Belgium.                                       |



*Consular Conventions, Conventions concerning Conditions of Residence and Similar Questions.*

Registration

No.

- |      |                              |
|------|------------------------------|
| 3671 | Bulgaria and Poland.         |
| 3691 | Persia and Switzerland.      |
| 3824 | Belgium and the Netherlands. |
| 3827 | Finland and Switzerland.     |

*Administrative Questions and Questions of Naturalisation.*

Registration

No.

- |      |   |
|------|---|
| 3732 | Albania and the United States of America. |
| 3754 | Austria and Hungary.                      |
| 3770 | France and India.                         |
| 3787 | Belgium and Switzerland.                  |

*Social and Labour Questions and Questions concerning Refugees.*

Registration

No.

- |      |  |
|------|--|
| 3663 | General Convention.  |
| 3694 | The Argentine Republic and Great Britain and Northern Ireland. |
| 3749 | Latvia and Poland.   |
| 3809 | The Argentine Republic and Denmark.                            |
| 3825 | Belgium and France.  |
| 3851 | Spain and Czechoslovakia.                                      |

*Sanitary Questions.*

Registration

No.

- |      |                     |
|------|---------------------|
| 3692 | Denmark and Sweden. |
| 3706 | General Convention. |

*Transit.*

Registration

No.

- |      |  |
|------|--|
| 3698 | Great Britain and Northern Ireland and Czechoslovakia. |
| 3726 | Germany and Norway.                                    |
| 3730 | Germany and Belgium.                                   |

*Transit (continued).*

Registration No.	
3741	Belgium and Switzerland.
3774	Spain and Lithuania.
3788	Denmark and Sweden.
3799	Poland and the Union of Soviet Socialist Republics.
3835	Germany and Denmark.
3842	Hungary and Italy.
3879	Austria and the Vatican City State.
3880	Austria and Monaco.

*Liquor Traffic and Traffic in Narcotic Drugs.*

Registration No.	
3845	Denmark and Sweden.
3864	The Argentine Republic and Chile.

*Military Questions and Similar Questions.*

Registration No.	
3670	The United States of America and Sweden.
3862	Germany, Great Britain and Northern Ireland, Canada, Australia, New Zealand, the Union of South Africa, India and France.
3886	Costa Rica and Spain.

*Naval Questions.*

Registration No.	
3701	Germany and Great Britain and Northern Ireland.
3894	The United States of America and Mexico.

*Tonnage Measurement.*

Registration No.	
3767	Great Britain and Northern Ireland, Canada, Australia, New Zealand, India, and Poland.
3771	Germany and Great Britain and Northern Ireland.
3820	Great Britain and Northern Ireland and the Netherlands.
3892	Great Britain and Northern Ireland and Sweden.

*Air Navigation.*

Registration  
No.

- |      |   |
|------|---|
| 3660 | Belgium and Italy.  |
| 3714 | Greece and Yugoslavia.  |
| 3733 | The United States of America and Great Britain<br>and Northern Ireland. |
| 3734 | The United States of America and Great Britain<br>and Northern Ireland. |
| 3750 | Estonia and Sweden.   |
| 3775 | Germany and Spain.  |
| 3846 | Germany and Spain.  |
| 3852 | Germany and Spain.  |
| 3861 | Great Britain and Northern Ireland and Portugal.                        |

*Waterways and Inland Navigation.*

Registration  
No.

- |      |                              |
|------|------------------------------|
| 3687 | Belgium and the Netherlands. |
|------|------------------------------|

*Industrial Property.*

Registration  
No.

- |      |  |
|------|--|
| 3719 | Czechoslovakia and the Union of Soviet Socialist<br>Republics. |
| 3889 | Estonia and Lithuania.   |

*Property, Rights and Interests.*

Registration.  
No.

- |      |   |
|------|---|
| 3695 | Great Britain and Northern Ireland and China. |
| 3716 | Turkey and Yugoslavia.                        |
| 3735 | The United States of America and Canada.      |
| 3870 | Roumania and Czechoslovakia.                  |

*Postal, Telephonic, Telegraphic and Radiotelegraphic Conventions.*

Registration  
No.

- |      |   |
|------|---|
| 3693 | The Netherlands Indies and Malaya.                    |
| 3705 | The United States of America and Malaya.              |
| 3739 | The United States of America and Windward<br>Islands. |

*Postal, Telephonic, Telegraphic and Radiotelegraphic Conventions*  
(continued).

Registration No.	
3764	Italy and Malaya.
3765	China and Malaya.
3768	Great Britain and Northern Ireland and Honduras.
3769	Great Britain and Northern Ireland and Switzerland.
3792	The United States of America and Turkey.
3804	The Commonwealth of Australia and France.
3805	The Commonwealth of Australia and Egypt.
3806	The Commonwealth of Australia and Italy.
3810	St. Lucia and Martinique.
3811	France and Malaya.
3865	Czechoslovakia and the Union of Soviet Socialist Republics.
3896	India and the Netherlands Indies.
3898	Great Britain and Northern Ireland and France.

The following table gives the number of treaties registered by the Secretariat at the request of the various States during the period from May 19th, 1935, to May 19th, 1936 :

The United States of America . . . . .	35
The Argentine Republic . . . . .	2
Australia . . . . .	3
Austria . . . . .	6
Belgium . . . . .	25
The United Kingdom . . . . .	40
Bulgaria . . . . .	4
China . . . . .	1
Colombia . . . . .	1
Czechoslovakia . . . . .	7
Denmark . . . . .	14
Estonia . . . . .	9
Finland . . . . .	6
France . . . . .	1
Hungary . . . . .	10
Italy . . . . .	13
Latvia . . . . .	10
The Netherlands . . . . .	20

Norway . . . . .	7
Roumania . . . . .	9
Spain . . . . .	25
Sweden . . . . .	21
Switzerland . . . . .	10
Turkey . . . . .	1
The Union of Soviet Socialist Republics . . .	7
Yugoslavia . . . . .	3

International engagements concluded under the auspices of the League of Nations depo- sited with the Secretariat and registered in consequence of their entry into force . .	2
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The Secretariat has also registered many accessions, ratifications, denunciations, etc., concerning Conventions previously registered at the request of various States.

It has also registered further information relating to general Conventions which it had already published.

International engagements are published in the *Treaty Series* in their original languages, with translations into French and English, when they have not been made in one of these two languages.

Up to the present, 160 volumes of about 450 pages each, containing 3,700 treaties, have been published by the Secretariat. Other volumes will appear in the near future.

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