

LEAGUE OF NATIONS

RECORDS

OF THE

FOURTH ASSEMBLY

No. 13.

Text of the Debates

(With Annexes)

GENEVA 1923

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TELEGRAM OF CONVOCATION

ADDRESSED BY THE SECRETARY-GENERAL TO ALL
MEMBERS OF THE LEAGUE OF NATIONS ON
BEHALF OF THE HON. EDWARD WOOD,
ACTING PRESIDENT OF THE COUNCIL.

I have the honour, in accordance with Rules 1 and 3 of the Rules of Procedure of the Assembly of the League of Nations, to summon the Assembly to convene at Geneva at 11 a.m. on Monday, September 3rd, 1923.

EDWARD WOOD.

AGENDA
OF THE
FOURTH SESSION OF THE ASSEMBLY

ADOPTED BY THE ASSEMBLY ON SEPTEMBER 3rd, 1923¹

Election of the Committee to report on the Credentials of Delegates.
Election of the President.
Examination and adoption of the Agenda.
Nomination of Committees and election of Chairmen of the Committees.
Election of six Vice-Presidents.
Report on the work of the Council since the last session of the Assembly, on the work of the Secretariat, and on the measures taken to execute the decisions of the Assembly.
Election of a judge of the Permanent Court of International Justice to fill the vacancy caused by the death of M. Ruy Barbosa. (Article 14 of the Statute of the Court.)
Election of the six non-permanent Members of the Council.

COMMITTEE No. 1.

Amendment to Article 10 of the Covenant. (Proposal by the Canadian Government.)
Amendment to Article 16 of the Covenant. (Item circulated at the request of the British Government.)

COMMITTEE No. 2.

The work of the Economic and Financial Commission.
The work of the Advisory and Technical Committee for Communications and Transit.
The work of the Health Organisation of the League, including the work of the Epidemic Commission.

COMMITTEE No. 3.

Reduction of armaments. Report of the Temporary Mixed Commission.

COMMITTEE No. 4.

Statement by the Council and the Governing Body of the International Labour Office on new work involving new expenditure on the part of the League.
Deferred pay and pensions scheme.
The allocation of the expenditure of the League.

¹ For the Provisional Agenda as presented to the Assembly, see Annex 1, page 163.

Budget for 1924, including the Budgets of the International Labour Organisation and of the Permanent Court of International Justice.
Audit of accounts for the fourth fiscal period (1922).
Report of the Supervisory Commission, including the reports on the cost of living in Geneva.
Report on the general financial situation of the League.
Report on the erection of a hall on the property given to the League by the Canton and City of Geneva.

COMMITTEE No. 5.

Traffic in opium and other dangerous drugs. The work of the Advisory Committee.
Traffic in women and children. The work of the Advisory Committee.
Refugee questions. Reports by the High Commissioner.
Intellectual co-operation. The work of the Committee.
Validity in all States, on a basis of reciprocity, of certain secondary education diplomas; establishment of an international university; institution of a higher education Degree in all countries Members of the League of Nations, such diplomas being valid for all the countries in question. (Item circulated at the request of the Spanish Government.)
Reports on the work of the Commission for the Protection of Women and Children in the Near East.

COMMITTEE No. 6.

Slavery. Report by the Council on the information received.
Protection of minorities in Esthonia².
Request to the Assembly from the Lithuanian Government concerning:
(a) The Council's Resolution of January 13th, 1922³;
(b) Reference of certain questions to the Permanent Court of International Justice for an advisory opinion.
Request of the Irish Free State for admission to the League. Request of the Empire of Ethiopia (Abysinia) for admission to the League. Any other requests which may be received in accordance with paragraph 2 of Article 1 of the Covenant.

² This question was withdrawn from the Agenda at the Tenth Plenary Meeting (see page 57).

³ At the request of the Lithuanian Government this question was withdrawn from the Agenda (see letter from the Lithuanian delegate dated September 5th, 1923 and published in Annex 3 to the First Committee.

GENERAL COMMITTEE.

Procedure for adoption of the Budget at plenary meetings of the Assembly.

In the course of the session, the following items were added to the Agenda:

Reconstruction of Austria.
International Federation for Mutual Assistance in the Relief of Peoples overtaken by Disaster.
Traffic in women and children. Protection of young women travelling alone.

Eastern Carelia.
Amendments to the Covenant.
Rules for the election of the non-permanent Members of the Council.
Travelling facilities for groups of students, Boy Scouts and Girl Guides.
Mandates.
Minorities.
Unpaid contributions.
International arrangements for legal assistance for the poor.
Inter-municipal relations.

LIST OF MEMBERS
OF THE
DELEGATIONS AT THE ASSEMBLY

ABYSSINIA

M. Dejazmatch Nadeon.
Count Robert Lijnant de Bellefonds.
M. Ato Fassika.

ALBANIA

M. Midhat Frasheri (Minister Plenipotentiary in Athens).
M. Benoit Blinishti (Director of the Permanent Secretariat accredited to the League of Nations).

AUSTRALIA

Sir Joseph Cook, P.C., G.C.M.G. (High Commissioner in London).
Sir Neville R. Howse, V.C., K.C.B., K.C.M.G., M.P.
Mr. Herbert R. Brookes.

Substitutes :

Lieutenant-Colonel D. C. Cameron, C.M.G., D.S.O., M.P.
Miss Jessie S. W. Webb, M.A.

Secretary :

Major O. C. W. Fuhrman, O.B.E.

AUSTRIA

His Excellency M. Albert Mensdorff-Pouilly-Dietrichstein (former Ambassador).
His Excellency M. Eméric Pflügl (Resident Minister).

Secretaries :

M. François Matsch.
M. Frédéric Bodo (Counsellor).

BELGIUM

His Excellency M. Paul Hymans (Minister of State, Member of the House of Representatives, former Minister in London, former Minister for Economic Affairs, former Minister for Foreign Affairs).

His Excellency M. Prosper Poullet (Member and former President of the House of Representatives, former Minister for Science and Arts, former Minister for Transport, the Navy, Posts and Telegraphs, Professor of International Law and Diplomatic History at the University of Louvain).

His Excellency Baron Eugène Beyens (Ambassador to the Holy See, former Minister for Foreign Affairs).

Belgium (*continued*)

Substitutes :

M. Joseph Mélot (Minister Plenipotentiary).
M. Louwers (Legal Adviser at the Ministry for Foreign Affairs).
M. Henri Rolin (Assistant Legal Adviser at the Ministry for Foreign Affairs).

Secretary :

M. Joseph Mélot (Minister Plenipotentiary).

BRAZIL

His Excellency M. Afranio de Mello-Franco (Member of the Chamber of Deputies, former Minister of State, former Ambassador on special mission in Bolivia, Member of the Permanent Court of Arbitration at The Hague, Professor at the Faculty of Law of Bello-Horizonte (State of Minas-Geraes), former President of the Brazilian delegation to the Fifth Pan-American Conference at Santiago).

His Excellency M. Raul de Rio-Branco (Envoy Extraordinary and Minister Plenipotentiary in Switzerland).

His Excellency M. Frederico de Castello-Branco Clark (Minister to Venezuela, Chef du Cabinet of the Minister for Foreign Affairs).

Experts :

Rear-Admiral J. M. Penido (Brazilian representative on the Permanent Advisory Commission for Military, Naval and Air Questions, Member of the Temporary Mixed Commission for the Reduction of Armaments).

Colonel F. R. de Andrade-Neves (Military Attaché at the Embassy in Paris and Brussels, Delegate on the Permanent Advisory Commission for Military, Naval and Air Questions).

Major E. Leitao de Carvalho (Staff Officer, Professor at the Staff College).

Substitute and Expert :

M. J. A. Barboza-Carneiro (Commercial Attaché at the Embassy in London, Member of the Economic and Financial Commission and of the Committee on the Allocation of the Expenses of the League).

Brazil (continued)

Secretary-General and Expert :

M. Sylvio Rangel de Castro (Secretary of Embassy).

Secretary :

M. Heitor Lyra (Secretary of Embassy in London).

BRITISH EMPIRE

The Right Hon. Lord Robert Cecil, M.P. (Lord Privy Seal).

The Right Hon. Edward Wood, M.P. (President of the Board of Education).

The Right Hon. Sir James Rennell Rodd, G.C.B., G.C.M.G., G.C.V.O.

Substitutes :

The Right Hon. Sir Willoughby Dickinson, K.B.E. (Privy Councillor).

Sir Hubert Llewellyn Smith, G.C.B.
Dame Edith Lyttelton.

Secretary :

The Hon. Charles Tufton (Councillor of Embassy).

Experts :

Sir M. Delevingne K.C.B. (Deputy Under-Secretary of State for Home Affairs).

Mr. S. W. Harris C.B., C.V.O., (Assistant Secretary to the Home Office).

Mr. Lionel Curtis (Colonial Office).

Mr. M. E. Antrobus (Colonial Office).

Mr. O. Allen, C.B. (Ministry of Labour).

Rear-Admiral J. R. Segrave, C.B. (Admiralty).

Commander N. W. Diggle, C.M.G. (Admiralty).

Lieutenant-Colonel S. J. Lowe, D.S.O. (War Office).

Squadron Leader H. A. Tweedie, O.B.E. (Air Ministry).

Assistant Secretaries :

Mr. C. W. Orde.

Mr. A. F. Yencken, M.C.

Mr. P. Baker.

Mr. A. Llewellyn Smith.

BULGARIA

His Excellency M. Christo Kalfoff (Minister for Foreign Affairs).

His Excellency M. Siméon Radeff (former Minister Plenipotentiary).

His Excellency M. Bogdan Morfoff (former Minister).

Substitute :

M. Théodore Théodoroff (Legal Adviser, Representative of the Bulgarian Government to the Mixed Arbitral Tribunals).

Expert :

M. Dimitri Mikoff (Chargé d'Affaires in Switzerland).

Secretaries :

M. Sava Kiroff (Secretary at the Ministry for Foreign Affairs).

M. Nicolas D. Stoiloff (Secretary of Legation in Paris).

CANADA

The Hon. Sir Lomer Gouin, LL.D., K.C.M.G. (Member of the Privy Council, Minister of Justice).

The Hon. George P. Graham, M.P. (Member of the Privy Council, Minister for Railways and Canals).

The Hon. Peter C. Larkin (Member of the Privy Council, High Commissioner in London).

Secretaries :

Mr. J. Emile Tremblay (Private Secretary to the Minister of Justice).

Mr. Paul Fontaine.

Mlle. H. F. Sherritt (Private Secretary to the Minister for Railways and Canals).

CHILE

His Excellency M. Agustin Edwards (Envoy Extraordinary and Minister Plenipotentiary in London).

Experts :

M. Alejandro Alvarez (Member of the Permanent Court of Arbitration at The Hague, Member of the Institute of International Law, Secretary-General of the American Institute of International Law).

M. Jorge Buchanan (former Senator).

Secretary-General :

M. Jorge Valdés-Mendeville (Chargé d'Affaires at Berne).

CHINA

His Excellency M. Tang Tsai-Fou (Envoy Extraordinary and Minister Plenipotentiary in Rome, Chinese representative on the Council of the League of Nations).

His Excellency M. Tcheng Loh (Envoy Extraordinary and Minister Plenipotentiary in Paris, former Vice-Minister for Foreign Affairs).

His Excellency M. Chao-Hsin Chu (Minister Plenipotentiary, Chargé d'Affaires in London, Professor of Economics of Peking University, former Senator).

Secretary-General :

M. Wang Tseng-Sze (Counsellor of Legation).

Experts :

Doctor Tcheou-Wei (First Secretary of Legation, Director of the Permanent Office of the Chinese Service of the League of Nations).

Doctor Hoo Chi Tsai (First Secretary of Legation at Berlin).

Secretaries :

M. Ling-Pingchen.

M. Tchang Gui Yu.

M. Raymond Y. C. Ouang.

M. Wang Niétsou.

M. Su-Sung Koo.

M. Li Shi Lin.

COLOMBIA

His Excellency Doctor Francisco José Urrutia (former Minister for Foreign Affairs, Minister Plenipotentiary in Switzerland).

Secretary:

M. A. M. Céspedes (Secretary of Legation in Switzerland).

COSTA RICA

His Excellency M. Manuel de Peralta (Envoy Extraordinary and Minister Plenipotentiary in Paris).

CUBA

His Excellency M. Cosmé de la Torriente y Peraza (former Minister for Foreign Affairs, Member of the Permanent Court of Arbitration at The Hague, President of the Committee for Foreign Affairs of the Senate).

His Excellency M. Aristides de Agüero y Bethancourt (Envoy Extraordinary and Minister Plenipotentiary in Berlin and Vienna).

His Excellency M. José Manuel Cortina (former Member of the Chamber of Deputies, Ministerial Secretary of the Presidency of the Republic).

Substitutes:

His Excellency M. Guillermo de Blanck (Envoy Extraordinary and Minister Plenipotentiary in Berne and The Hague).

His Excellency M. Carlos de Armenteros (Envoy Extraordinary and Minister Plenipotentiary in Rome).

Experts:

M. Domingo F. Ramos (Professor at the University of Havana).

M. Ramiro Hernández Portela (Counsellor of Legation in Berlin).

M. Luis Santamaría (First Secretary of Legation).

Secretaries:

M. Gabriel de la Campa (Consul-General).

M. Augusto Merchan (Consul-General at Genoa).

M. Manuel F. Calvo (Second Secretary of Legation in Paris).

CZECHOSLOVAKIA

His Excellency Doctor Eduard Benes (Minister for Foreign Affairs).

His Excellency Doctor Stephan Osusky (Envoy Extraordinary and Minister Plenipotentiary in Paris).

His Excellency Doctor Robert Flieder (Envoy Extraordinary and Minister Plenipotentiary at Berne, Permanent Delegate accredited to the League of Nations).

Substitutes:

His Excellency M. Jan Dvořáček (Minister Plenipotentiary, Head of the Economic Section at the Ministry for Foreign Affairs).

Doctor Jan Krčmář (Professor at the University of Prague).

Czechoslovakia (continued)

Doctor Vilém Pospisil (Director-General of the Savings Bank at Prague).

M. Künzl-Jizersky (Counsellor of Legation at the Political Division of the Ministry for Foreign Affairs).

Experts:

M. Jan Hajek (Head of Section at the Ministry for Foreign Affairs).

M. Josef Chmelar (Secretary at the Ministry for Foreign Affairs).

M. James V. Hyka (Secretary at the Ministry for Foreign Affairs).

Secretary:

M. Arnost Heidrich (Secretary of Legation of the Ministry for Foreign Affairs).

DENMARK

His Excellency M. Herluf Zahle (Envoy Extraordinary and Minister Plenipotentiary in Stockholm, Member of the Permanent Court of Arbitration).

M. Laust Moltesen (Doctor of Philosophy, Member of Parliament).

M. Peter Munch (Doctor of Philosophy, former Minister for Defence, Member of Parliament).

Substitutes:

His Excellency M. Andreas Oldenburg (Envoy Extraordinary and Minister Plenipotentiary in Berne, Representative of the Royal Government accredited to the League of Nations Office).

M. Holger Andersen (Doctor of Theology, Member of Parliament).

M. F. Borgbjerg (Member of Parliament, Editor).

Mlle. Henni Forchhammer (President of the National Council of Danish Women, Member of the Central Administration of the International Women's Council).

Secretaries:

M. Pierre Oesterby (Director of Parliamentary Archives).

M. Poul Friis (Assistant Head of Section at the Ministry for Foreign Affairs).

Assistant Secretary:

Mlle. S. Honnens.

ESTHONIA

His Excellency M. Charles Robert Pusta (Minister Plenipotentiary in Paris).

General Johan Laidoner (Member of the Chamber of Deputies, President of the Committee for Foreign Affairs and National Defence, former Commander-in-Chief of the Esthonian Army).

M. Ado Anderkopp (Member of the Chamber of Deputies, War Minister).

Secretary:

M. Reinhold Kask (Secretary to the Political Department of the Ministry for Foreign Affairs).

FINLAND

His Excellency M. Carl Johan Alexis Enckell (Envoy Extraordinary and Minister Plenipotentiary in Paris, former Minister for Foreign Affairs).

His Excellency M. Rafael Woldemar Erich (Professor of International Law at the University of Helsingfors, Envoy Extraordinary and Minister Plenipotentiary (unattached), former Prime Minister, Member of the Chamber of Deputies).

His Excellency M. Eino Rudolf Woldemar Holsti (Envoy Extraordinary and Minister Plenipotentiary at Reval, former Minister for Foreign Affairs).

Substitute:

M. Kaarle Väinö Voionmaa (Professor of the History of Finland and of the Northern Countries at the University of Helsingfors, Member of the Chamber of Deputies).

Substitute and Secretary:

M. Urho Toivola (Secretary of Legation in Paris, Head of the Finnish Secretariat accredited to the Secretariat of the League).

FRANCE

His Excellency M. Léon Bourgeois (former President of the Senate, French Representative on the Council of the League of Nations).

His Excellency M. Gabriel Hanotaux (Member of the French Academy, former Minister for Foreign Affairs).

M. Albert François Lebrun (Senator, former Minister).

Substitutes:

M. Henry de Jouvenel (Senator).

M. Georges Marie Reynald (Senator).

M. Joseph Barthélemy (Professor at the Faculty of Law at the University of Paris and at the School of Political Science, Member of the Chamber of Deputies).

Assistant Delegate:

M. Jacques Bardoux (Professor at the School of Political Science).

Secretary-General:

M. Clauzel (Minister Plenipotentiary).

Experts:

M. Serruys (Director of Commercial Agreements at the Ministry of Commerce).

M. West (Head of the Economic and Financial Section of the French Service of the League of Nations).

M. Fromageot (Legal Adviser to the Ministry for Foreign Affairs).

M. Geouffre de Lapradelle (Legal Adviser to the Ministry for Foreign Affairs).

M. Jean Réveillaud (Member of the Conseil de Préfecture de la Seine).

M. Louis Aubert (Fellow of the University).

Head of the Secretariat:

M. Fournes (Secretary of Embassy, Chef du Cabinet of the French Resident General at Tunis).

GREECE

His Excellency M. Nicolas Politis (former Minister for Foreign Affairs, Member of the Permanent Court of Arbitration at The Hague).

His Excellency M. André Michalakopoulos (Minister Plenipotentiary).

M. A. Andréades (Professor of Finance and Statistics at the University of Athens, Dean of the Faculty of Law).

Substitute:

M. D. E. Castorkis (former Director of Penal Affairs at the Ministry of Justice, Professor of Penal Law at the University of Athens).

Experts:

General Alexandre Mazarakis.

M. Jean Politis (Director of the Permanent Greek Secretariat accredited to the League of Nations).

Secretaries:

M. Demètre Arghyropoulos (Secretary to the Permanent Greek Secretariat accredited to the League of Nations).

M. Jean Lambiris (Rapporteur at the League of Nations Office at the Ministry for Foreign Affairs).

HAITI

His Excellency M. Bonamy (Envoy Extraordinary and Minister Plenipotentiary in Paris).

HONDURAS

M. Carlos Gutierrez (Chargé d'Affaires in Paris).

HUNGARY

His Excellency M. Albert de Berzeviczy (Privy Councillor, former Minister for Public Worship and Public Education, President of the Hungarian Academy of Sciences).

His Excellency M. Géza de Daruváry (Minister for Foreign Affairs).

General Gabriel Tanczos (former Minister).

Substitutes:

Count Alexandre Khuen-Hédervary (First Counsellor of Legation).

M. Béla de Török (First Counsellor of Legation).

M. Simon de Lakács (Counsellor of Section at the Ministry for Foreign Affairs).

Expert:

M. Alexis de Nagy (Counsellor of Legation).

Secretary:

M. Zoltán de Baranyai (Director of the Secretariat accredited to the League of Nations).

INDIA

The Right Hon. Lord Hardinge of Penshurst, K.G., G.C.B., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O., I.S.O. (Privy Councillor, former Viceroy).

Lieutenant-Colonel His Highness the Maharaja Jam Saheb of Nawanagar, G.C.S.I., G.B.E.

M. Syed Hasan Iman.

India (continued)

Expert :

Mr. J. Campbell, C.S.I., O.B.E.

Personal Staff of His Highness the Maharaja Jam Saheb of Nawagar :

Commander C. B. Fry.
Mr. Merwanji, Restonji.

Secretaries :

Mr. J. C. Walton.
Mr. W. T. Ottewill.

FREE STATE OF IRELAND¹

Eoin MacNeill.

(*Anglice*: Mr. John MacNeill, Minister for Public Education).

Adodh O. Cinnéigh.

(*Anglice*: Mr. Hugh Kennedy, Attorney-General).

Mac Súibhne Magh-Seana-Ghlas.

(*Anglice*: Marquis MacSwiney of Mashonaglas).

Substitutes :

M. Osmond Grattan Esmonde (Member of Parliament).

Caoimhin O. Siadhail.

(*Anglice*: Mr. Kevin O'Shiel, Assistant Legal Adviser to the Executive Council).

M. Michael MacWhite (Representative provisionally accredited to the League of Nations).

Secretaries :

Diarmuid Oh-Eigeartaigh.

(*Anglice*: Mr. Diarmuid O'Hegarty, Secretary to the Executive Council).

Geroid Mag Canainn.

(*Anglice*: Mr. Gearoid McGann, First Private Secretary to the President of the Executive Council).

Seosaimh O'Raghallaigh.

(*Anglice*: Mr. Joseph O'Reilly, Assistant Private Secretary to the President of the Executive Council).

ITALY

His Excellency Professor Antonio Salandra (Member of the Chamber of Deputies, former Prime Minister, Italian Representative on the Council of the League of Nations).

His Excellency M. Giuriati (former Minister for the Liberated Areas).

His Excellency M. Vittorio Scialoja (Professor of Law at the Royal University of Rome, Senator, former Minister for Foreign Affairs).

Substitutes :

His Excellency Count Lelio Bonin-Longare (former Ambassador in Paris).

M. Stefano Cavazzoni (Member of the Chamber of Deputies, former Minister for Labour).

His Excellency Count Fulco Tosti di Valminuta (Member of the Chamber of Deputies. Under-Secretary of State for Foreign Affairs).

M. Boggiano Pico (Member of the Chamber of Deputies).

M. Paolo Bignami.

M. Francesco Coppola (Member of the Chamber of Deputies).

¹ Mr. W. T. COSGRAVE, President of the Executive Council representing the Free State of Ireland for the question of its admission to the League.

Italy (continued)

Experts :

Admiral Acton.

General de Marinis (Senator).

M. Brocchi (Counsellor of State).

Marquis Medici del Vascello (Minister Plenipotentiary).

Count Viola (Consul).

Secretary-General :

Marquis Medici del Vascello (Minister Plenipotentiary).

Secretaries :

M. Mario Salandra.

Count Perrone di San Martino.

M. Vivarelli.

JAPAN

His Excellency Viscount K. Ishii (Ambassador to the French Republic).

His Excellency M. Minéitcirô Adatci (Ambassador to Belgium).

His Excellency M. A. Ariyoshi (Minister in Berne).

Substitutes :

His Excellency M. M. Matsuda (Minister Plenipotentiary, Head of the Japanese League of Nations Office).

M. S. Okuyama (Counsellor of Embassy, Assistant Head of the Japanese League of Nations Office.)

M. Y. Sugimura (Secretary of Embassy).

M. S. Uchino (Medical Expert).

Secretary :

M. S. Sayegusa.

LATVIA

His Excellency M. Zigfrids A. Meierovics (Prime Minister, Minister for Foreign Affairs).

His Excellency Doctor Michel Walters (Envoy Extraordinary and Minister Plenipotentiary in Rome).

M. Voldemars Salnais (Member of the Chamber of Deputies).

Substitutes :

His Excellency M. Olgerd Grosvald (Envoy Extraordinary and Minister Plenipotentiary in Paris).

M. Vilis Schumans (Director of the Political and Economic Department at the Ministry for Foreign Affairs).

Secretary :

M. Jules Feldmans (Head of the League of Nations Section at the Ministry for Foreign Affairs).

LIBERIA

His Excellency Baron Rodolphe Auguste Lehmann (Envoy Extraordinary and Minister Plenipotentiary in France).

Secretary :

M. Nicolas Ooms (Secretary of Legation).

LITHUANIA

M. Venceslas Sidzikauskas (Chargé d'Affaires in Berlin).
M. Ignace Jonynas (Director at the Ministry for Foreign Affairs).
Doctor Bovas Zaunius (Envoy Extraordinary and Minister Plenipotentiary in Prague).

Secretary :

Doctor Pranas Viktoras Raulinattis.

LUXEMBURG

M. Antoine Lefort (Councillor of State, former Chargé d'Affaires in Berne).
M. Charles Vermaire (Consul at Geneva).

NETHERLANDS

His Excellency Jonkheer J. Loudon (Doctor of Political Science, Envoy Extraordinary and Minister Plenipotentiary in Paris, former Minister for Foreign Affairs).

His Excellency Jonkheer O. A. F. M. van Nispen tot Sevenaer. (Doctor of Law, Envoy Extraordinary and Minister Plenipotentiary to the Holy See, former President of the Second Chamber of the States General).

Jonkheer W. J. M. van Eysinga (Doctor of Law and Political Science, Professor at the University of Leyden).

Substitutes :

M. J. Limburg (Doctor of Law, President of the Order of Barristers at The Hague, former Member of the Second Chamber of States General, Member of the Executive Committee of the States Provincial of Southern Holland).

M. J. P. A. François (Doctor of Law and Political Science, Head of the League of Nations Section at the Ministry for Foreign Affairs, Extraordinary Professor at the School for Higher Commercial Studies at Rotterdam).

Experts :

M. W. G. van Wettum (former Chief of Service of the Opium Monopoly of the Dutch Indies, Dutch Member of the Advisory Opium Commission).
M. W. G. Winkelman (Captain of the General Staff of the Army).

Secretaries :

Mme C. A. Kluyver (Secretary at the Ministry for Foreign Affairs).
M. H. J. D. Doorman (First Chancellor of Legation).

NEW ZEALAND

Colonel the Honorable Sir James Allen, K.C.B. (High Commissioner in London).

Secretary :

Mr. Cyril Blake Burdekin, C.B.

NORWAY

Doctor Fridtjof Nansen (Professor at the University of Christiania).
His Excellency M. Otto Albert Blehr. (former Prime Minister).
M. Ivar Lykke (President of the Storting).

Substitutes :

Doctor Christian L. Lange (Secretary-General of the Inter-Parliamentary Union).
Doctor Mikael H. Lie (Professor of Law at the University of Christiania).
Mlle. Kristine Elisabeth Bonnevie (Doctor of Philosophy, Professor at the University of Christiania).

Experts :

M. Jens Bull (Head of Section at the Ministry for Foreign Affairs).
M. Toralv Oeksnevad (Technical Adviser at the Legation at Paris).

PANAMA

M. Antonio Burgos (Envoy Extraordinary and Minister Plenipotentiary in Rome).
M. Raoul A. Amador (Chargé d'Affaires in Paris).

PARAGUAY

Doctor Ramon Caballero (Chargé d'Affaires at Paris).

PERSIA

His Highness Prince Mirza Riza Khan Arfaed-Dovleh (Ambassador, former Minister of Justice).
His Excellency Emir S. K. G. Zokaed-Dovleh (Envoy Extraordinary and Minister Plenipotentiary at Berne).

Legal Adviser :

Doctor Edmond Privat.

Head of Secretariat :

M. Abol-Hassan Hékime (Master of Social and Commercial Sciences, First Secretary of Legation).

Secretaries :

M. I. K. K. Mohamos-Saltaneh (Second Secretary of Legation at Berne).
M. Aly-Mohamed Scheybany (Second Secretary of Legation at Berne).
Prince Ekber Mirza Maghrouri (Attaché at the Legation at Berne).
M. Renaud Khan de Becker.

PERU

Secretary-General :

M. E. Castro Oyanguren.

POLAND

His Excellency M. Constantin Skirmunt (Envoy Extraordinary and Minister Plenipotentiary in London, Permanent Delegate to the League of Nations, former Minister for Foreign Affairs).

His Excellency M. Henry Strasburger (Minister Plenipotentiary, Under-Secretary of State for Foreign Affairs, former Under-Secretary of State at the Ministry of Commerce and Industry).

His Excellency M. Jean de Modzelewski (Envoy Extraordinary and Minister Plenipotentiary in Berne, Permanent Delegate to the League of Nations).

Substitutes :

Mr François Sokal (Polish Delegate on the Governing Body of the International Labour Office).

Prince S. Czetwertynski (Member of the Diet, Rapporteur of the Committee for Military Affairs).

M. Bohdan Winiarski (Professor of the Faculty of Law at the University of Poznan, Vice-Chairman of the Advisory and Technical Committee for Communications and Transit).

Secretaries :

M. M. Arciszewski (First Secretary of Legation).

M. T. Gwiazdowski (First Secretary of Legation).

PORTUGAL

His Excellency M. João Chagas (former Prime Minister, former Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary in France).

His Excellency Doctor Augusto de Vasconcelos (Minister Plenipotentiary, former Prime Minister, former Minister for Foreign Affairs).

His Excellency General A. Freire d'Andrade (former Minister for Foreign Affairs).

Substitute :

His Excellency Doctor Antonio Maria Bartholomeu Ferreira (Envoy Extraordinary and Minister Plenipotentiary in Switzerland).

Secretaries :

M. José Lima Santos (Secretary of Legation in Paris).

M. H. R. Dias de Oliveira (Legation in Switzerland).

M. Antonio Gomes d'Almeida (Attaché to the Legation in Berne).

ROUMANIA

His Excellency M. Constantin Georges Dissesco (Senator, former Minister of State, Professor at the University of Bucharest).

His Excellency M. Cornélius Manolesco-Ramniceano (former Senior President of the Supreme Court of Appeal and Justice).

His Excellency M. Titulesco (Professor at the University of Bucharest, former Minister of State, Envoy Extraordinary and Minister Plenipotentiary in London).

Substitutes :

His Excellency M. N. Petresco-Commène (Envoy Extraordinary and Minister Plenipotentiary in Switzerland).

Mlle. Hélène Vacaresco.

Professor Sextil Puscariu (Professor at the University of Cluj).

Secretary :

M. Gregoire Constantinesco (Secretary of Legation).

EL SALVADOR

His Excellency M. Gustave Guerrero (Envoy Extraordinary and Minister Plenipotentiary in Italy and France).

KINGDOM OF THE SERBS, CROATS AND SLOVENES

His Excellency Doctor Momtchilo Nintchitch (Minister for Foreign Affairs).

His Excellency Doctor Miloutine Yovanovitch (Envoy Extraordinary and Minister Plenipotentiary in Switzerland).

His Excellency Doctor Lazar Markovitch (Member of the Chamber of Deputies, former Minister of Justice).

Substitutes :

Doctor Vassa I. Yovanovitch (Member of the Chamber of Deputies, Barrister).

M. Ranislav Avramovitch (Under-Secretary of State at the Ministry of Transport).

Doctor Milorad Straznitzky (Professor at the University of Zagreb).

Secretary-General :

M. Douchan Stepanovitch (First Secretary of Legation).

Secretaries :

M. N. Rodigé Yovanovitch (Secretary of Legation).

Doctor Miodrag Petrovitch (Secretary at the Ministry for Foreign Affairs).

SIAM

His Highness Prince Charoon (Minister in Paris, Siamese Representative accredited to the Secretariat of the League).

His Excellency Phya Sanpakitch Preecha (Minister in Rome).

His Highness Prince Damras Damrong (Chargé d'Affaires in The Hague).

Substitutes and Secretaries :

M. Nai T. L. Hoontrakool (Third Secretary of Legation in Paris).

M. Khun Biraj Bisdara (Third Secretary of Legation in Paris).

Secretaries :

M. Nai K. Vathanaprida (Legation in Paris).

M. Luang Bahidda Nukara (Legation in Rome).

M. Phra Sarasasana (Legation in London).

SOUTH AFRICA

General the Right Hon. Jan Christiaan Smuts, C.H., K.C., M.L.A. (Prime Minister).

The Hon. Sir Edgar Harris Walton, K.C.M.G. (High Commissioner in London).

Sir Henry Strakosch, Kt.

Substitute :

Professor George Gilbert Aimé Murray, LL.D., D.Litt.

Secretaries :

Mr. Robert Webster.

Mr. A. T. Goidup (Private Secretary to Sir Henry Strakosch).

• • SPAIN

His Excellency Count de Gimeno (Senator, former Minister for Foreign Affairs).

His Excellency M. José Quiñones de León (Ambassador in Paris, Spanish Representative on the Council of the League of Nations).

His Excellency M. Emilio de Palacios (Minister in Berne).

Substitute :

Rear-Admiral Marquis de Magaz.

Substitute and Legal Adviser :

M. Cristóbal Botella (Doctor of Law, Legal Adviser at the Embassy in Paris, President of the Franco-German Mixed Arbitral Tribunal).

Secretary-General :

M. Carlos de la Huerta (First Secretary of Embassy in Paris).

Assistant Secretary-General :

Marquis de la Torre.

Secretaries :

M. Julio Casares.

M. Juan de Arenzana.

M. Francisco R. Montesinos.

M. José Gallostra.

SWEDEN

His Excellency M. Hjalmar Branting (former Prime Minister).

Baron Marks von Wuerttemberg (former Minister, President of the Court of Appeal at Stockholm).

M. Jonas Eliel Lofgren (former Minister of Justice).

Substitutes :

His Excellency Baron Sten Gustaf Frederik Troil Ramel (Minister in Berlin).

Mme. Anna Bugge-Wicksell (Master of Law).

M. Oesten Unden (former Minister of Justice).

Secretaries :

M. Johansson (First Secretary of Legation).

M. E. Boheman (First Secretary of Legation).

Baron Rappe (Attaché).

SWITZERLAND

His Excellency M. Giuseppe Motta (Head of the Federal Political Department, Federal Councillor).

His Excellency M. Gustave Ador (former Federal Councillor, President of the International Red Cross Committee).

Doctor Robert Forrer (Doctor of Law, National Councillor).

Switzerland (continued)

Substitutes :

M. Henri Bolli (Member of the Council of States).
Professor Walther Burckhardt (Chancellor of the Berne University).

Secretary and Expert :

M. Paul Ruediger (Doctor of Law, Secretary of Legation).

Secretary :

M. D. Secretan (Secretary of Division at the Ministry for Foreign Affairs).

URUGUAY

His Excellency M. Alberto Guani (Minister in Brussels, Representative of Uruguay on the Council of the League of Nations).

M. Juan José Amézaga (Professor of the Faculty of Law at the University of Montevideo, President of the National Assurance Bank, former Minister).

His Excellency M. Benjamin Fernandez Medina (Envoy Extraordinary and Minister Plenipotentiary in Madrid).

Substitute :

His Excellency M. Enrique Buero (Envoy Extraordinary and Minister Plenipotentiary at Berne).

Secretaries :

M. Adolfo Sienna (Secretary of the Legation in Paris).

M. Oscar Defféminis (Consul-General in Geneva).

VENEZUELA

His Excellency Doctor José Gil Fortoul (Envoy Extraordinary and Minister Plenipotentiary in Paris and Berne, former Senator, former President of the Governing Council in charge of the Presidency of the Republic).

His Excellency M. César Zumeta (Special Commissioner for the study of the commercial situation and of the state of navigation in different countries, former Senator, former Minister of the Interior).

Doctor C. Parra-Perez (Counsellor of Legation, Chargé d'Affaires in Switzerland).

Secretary :

M. Alberto Adriani (former Head of the Foreign Minister's Cabinet, former Consul in Geneva).

PRESIDENT AND VICE-PRESIDENTS OF THE ASSEMBLY

President:

His Excellency M. de la Torre y Peraza (Cuba).

Vice-Presidents elected by the Assembly:

The Rt. Hon. Lord Robert Cecil (British Empire).

His Excellency M. Pusta (Estonia).

His Excellency M. Hanotaux (France).

His Excellency Viscount Ishii (Japan).

His Excellency Count de Gimeno (Spain).

His Excellency M. Fortoul (Venezuela).

Vice-Presidents ex officio as Chairmen of Committees:

His Excellency M. Motta (Switzerland).

His Highness the Maharaja of Nawanagar (India).

His Excellency M. Skirmunt (Poland).

His Excellency M. Nintchitch (Kingdom of the Serbs, Croats and Slovenes).

His Excellency M. de Mello-Franco (Brazil).

His Excellency M. Hymans (Belgium).

The Secretary-General of the League of Nations:

The Hon. Sir James Eric Drummond.

The President and the twelve Vice-Presidents constituted, with Sir Eric Drummond, Secretary-General of the League of Nations, the General Committee of the Assembly.

TEXT OF THE DEBATES.

FIRST PLENARY MEETING

Monday, September 3rd, 1923, at 11 a.m.

CONTENTS :

- 1. OPENING OF THE ASSEMBLY.
[Speech by Viscount Ishii, Acting President of the Council.]
- 2. EARTHQUAKE DISASTER IN JAPAN.
Vote of sympathy with Japan.
- 3. COMMITTEE ON THE CREDENTIALS OF DELEGATES.
Election of the Committee.

1.—OPENING OF THE ASSEMBLY.

Viscount Ishii, delegate of Japan, Acting President of the Council, took the Chair.

The Chairman :

Translation: Ladies and gentlemen—The year which has elapsed since the last Assembly has been an anxious and eventful period in the international relations of the world. The contribution made by the League itself in the task of re-establishing normal conditions is described in the report of the Council. The Assembly will shortly make its own estimate of that contribution, for it is the first subject for discussion on the agenda ; but perhaps I may preface the discussion by a few remarks as to the conditions under which the work has been achieved.

We must recognise that the two great series of problems which this year have occupied a predominant place in the world's attention—those connected with the Near East and with reparations—have fallen outside the sphere of the League's action. They are both direct legacies of the war and have both been treated directly by the former belligerents. The negotiations on the first of these have, however, now resulted in the Treaty of Lausanne, which concludes the discussions between the belligerents and leaves upon the League a wide responsibility for dealing with any questions that may subsequently arise. In this new sphere the League will now exercise its normal function of giving its assistance, as occasion may require, in maintaining peace and friendly relations between nations, on the basis of a situation established and regularised by treaty.

As to the other question—that of reparations and its attendant problems—I can only properly say this : So long as this great unsettled dispute weighs upon the economic life of the world and embarrasses the relations between the nations, the work of the League must necessarily be limited and enfeebled. In every sphere of the League's activity, whether it be discussions on disarmament or co-operation in the work of peaceful reconstruction, the limits of useful deliberation are narrowed and the prospects of effective action diminished. I can only now express once more the earnest hope that, before the fifth Assembly meets, this great impediment to the peaceful development of the world and to recovery from the ravages of the war will have been removed by a definite and stable settlement.

The second limitation of the League's activity, of course, results from the fact that its membership is not universal. The United States of America, Germany and Russia, with some smaller countries, remain outside. In this respect too, however, the year has seen some progress. Already the number of Members has risen since 1919 from 42 to 52 and now covers three-quarters of the world's population, and this year the Irish Free State and Ethiopia have applied for membership. Equally important is the increased disposition of Members to use the League for the settlement of their difficulties and disputes, for the League is an association of sovereign States, and the extent of its effective work must always depend upon the extent to which its Members desire to make use of it. France, Great Britain, Roumania, Bulgaria, Hungary, Czechoslovakia and other States have brought disputes to the League; while others again—Italy, Canada, the Netherlands, etc.—have suggested problems for technical discussion. This extension of work is illustrated by the fact that the Council, enlarged to a membership of 10 States, has on occasion had 10 other specially interested States present at its deliberations. Moreover, the questions dealt with by the League have frequently interested and secured the collaboration of non-Members. Germany has been represented in some of the technical and humanitarian work. America has participated, in various ways, in the work in Austria, in the efforts to suppress the traffic in women and children, in the control of opium and in health questions. The Soviet Commissioner of Health has attended meetings of the Health Committee at Geneva, and that Government is in other ways collaborating in health and refugee

work. These general conditions affecting its scope and membership should be borne in mind in judging the work that the League has accomplished, as described in the report on the work of the Council.

The most notable single achievement during the last year has undoubtedly been the work of reconstruction in Austria. The Assembly will remember the gravity of the situation in September of last year. Austria could neither feed her people with bread nor her industries with raw material without large purchases from abroad, and for these purchases she had no financial resources. She had lived for three years largely on external loans, and no further loans could be obtained; the foreign seller could no longer be expected to accept her demoralised currency in payment for his goods; a swollen budget and defective yield of taxation made any attempt at stabilisation seem hopeless. There was an apparently certain prospect of starvation, of internal trouble and disorder, and the less certain but ominous menace of foreign complications.

During September last, however, a comprehensive scheme of reconstruction was framed, and, what is more important, effective international co-operation was secured and embodied in Protocols signed only a few days after the third Assembly rose. The year that has followed has seen the successful, and, indeed, triumphant, execution of this scheme. The external loans, guaranteed by eight countries and raised in ten countries, have been successfully obtained. The Austrian crown, which had been the least stable currency outside Russia, has during the whole twelve months been one of the most stable in Europe. On this firm basis the economic life of Austria has developed and shown a recuperative power which has exceeded the hopes of the most optimistic. The reduction in the budget deficit has on the whole proceeded as rapidly as the programme provides and offers every prospect of equilibrium within the two years contemplated. The yield of the revenues assigned to the service of the loan has been considerably in excess of the sums which will be required for that purpose, so that there is every reason to hope that the guarantees will not be called upon. The task is indeed not finished, and Austria needs to continue her efforts without relaxing. But the external world has now given the assistance promised; Austria now has it in her own power to achieve her own salvation.

The Assembly will, I am sure, wish to congratulate both Monseigneur Seipel and Dr. Zimmerman, Commissioner-General of the League, on the work of the year and its successful results. The first great piece of reconstructive work achieved since the war by international co-operation is indeed an important event in history. The world will not fail to note that piecemeal assistance by other countries in the three years after the war involved a public expenditure by them of over 25 millions sterling and that, though Austria was kept alive by these means for three years, her finances were in disorder at the end of them; whereas the present work of reconstruction now offers a reasonable prospect of achieving, without cost to the countries which assisted her, not the temporary relief but the permanent re-establishment of the country.

The limits of time forbid me to make more than a brief reference to the current work of the League and the institutions established through it.

The Permanent Court of International Justice has now definitely taken its place in the international life of the world. Six cases have been presented to it, including some of far-reaching importance. It has given its advice on a question submitted by France and Great Britain in connection with the Tunis-Morocco nationality problem, and it has just announced its award on the question submitted to it with regard to the right of free passage through the Kiel Canal.

I need make no reference here to the work of the International Labour Organisation, which reports to its own Conference. I turn to the current work of the

League which is carried on under the control of the Council.

In the more especially political sphere numerous questions have been brought before the Council during the past twelve months. I may mention as examples the question of the frontiers of Hungary with Austria and Czechoslovakia respectively, which has been satisfactorily settled. Questions concerning the Bulgarian inhabitants of Western Thrace have been brought to the notice of the Council and are now on the way to a settlement fair and satisfactory to the interested parties. Problems concerning Eastern Carelia and the property of Hungarian subjects in Roumania have engaged the attention of the Council. It has also had under consideration questions concerning Poland and Lithuania.

Among the political activities of the League, questions concerning the protection of racial, linguistic and religious minorities seem to occupy an increasingly prominent place. The Council and the Secretariat have during the past year carried out their work in this field in strict conformity with the views contained in a number of important resolutions of the third Assembly.

In the sphere of economics and finance, steady work has continued on a number of technical questions, the settlement of which would, in varying degrees, assist international trade and commerce; the simplification of Customs formalities (which is to form the subject of an international conference at Geneva in October); the treatment by States of foreigners and foreign enterprises established in their territories; facilities for commercial arbitration; measures to prevent unfair competition; double taxation; the measures required to secure greater uniformity in commercial documents, such as bills of exchange, and in international statistics. I may also mention as a precedent of perhaps special interest the appointment of a financial adviser to the Albanian Government.

The Communications and Transit Organisation, in addition to dealing with certain special questions and disputes referred to it by the interested parties, has completed its preparations for an important conference, which is to be held in November, to continue the work of the Barcelona and Genoa Conferences. Draft conventions have been carefully prepared by expert committees to codify the conditions of international railway transport and to lay down certain principles affecting the international use of ports and the transmission of hydraulic power.

The Health Organisation has also continued and developed its work. Its Epidemic Commission has assisted in the measures taken to prevent the spread of epidemics from the east of Europe, and has, during this year, though greatly limited from lack of funds, done specially useful work among the refugees in Greece. The Health Organisation is helping to pool both the scientific knowledge and the practical administrative experience required to combat the world's most serious diseases. For the first purpose, it has, for example, initiated studies with regard to the standardisation of anti-toxic sera and certain drugs and has arranged for investigations into the conditions of such diseases as cancer, malaria, and sleeping-sickness. For the second purpose, it has further developed its Epidemiological Intelligence Service with the aid of a generous subvention from the Rockefeller Foundation and has arranged four interchanges between the personnel of different national health services. Officers from other countries have visited the administrations in Belgium, Italy, Great Britain, Austria and the United States of America. Proposals have now been worked out and have been submitted to the Assembly for the establishment of the Permanent Health Organisation of the League, which would be composed of the Office international d'Hygiène publique and of the Permanent Health Committee of the League.

In the sphere of social and humanitarian questions

important work has been done, in collaboration with a representative American delegation, with regard to the control of traffic in opium and other dangerous drugs; the United States has, at the invitation of the Council, nominated a delegation to join in the deliberations of the competent Assembly Committee on the further development of this work. The Convention approved by the second Assembly as to the traffic in women and children has been widely ratified, and agencies have been set up in many States in order to give effect to its provisions. Very considerable work has been done in assisting refugees who have returned from Asia Minor to Greece, and a scheme for raising a considerable loan in connection with this work is now under consideration by the Council.

I need say nothing of the difficult tasks imposed on the League by the Treaty of Versailles in connection with the administration of the Saar territory and the position of the Free City of Danzig. The Council has considered problems arising from these two tasks at all its sessions, and reports upon the conduct of the work have received wide publicity.

The mandate system is now in full operation for all the overseas territories previously under German sovereignty, though it has not yet become fully applicable to Palestine, Syria and Mesopotamia. The mandatory Powers—Australia, Belgium, France, Great Britain, Japan, New Zealand and South Africa—are administering the territories of New Guinea, Ruanda-Urundi, Togoland and the Cameroons, Tanganyika territory, former German possessions north of the Pacific, Samoa, South-West Africa and Nauru.

Meantime, the League of Nations has, in accordance with the resolution of the third Assembly, attempted to find a means not only of reducing armaments but of encouraging a series of collective and special agreements designed to inspire confidence and to make possible a progressive reduction in military expenditure. The result of the year's work in this sphere is embodied in a draft scheme which is being presented to the present Assembly.

So, within an ever-widening sphere, the League continues its task of removing causes of conflicts, of narrowing the scope of international disputes and of assisting in the development of international co-operation. Its method in every part of this great task is identical. Constituted as it is, not as a super-State but an association of independent countries, each retaining its own sovereign power, the League entrusts every problem to committees, commissions or conferences, composed of the representatives of the countries concerned. It is essential to a true understanding of the League to realise that the work of all these representative bodies, whether their programmes are of a technical character, like those of the advisory committees, or include questions of general political importance, like those of the Council and Assembly, form in reality necessary and interdependent parts of a single whole. Through its whole organisation the League is continuing its task of settling disputes and its perhaps even more important and more normal task of removing the causes from which disputes arise. Throughout, it adopts the same methods of open and friendly discussion between the countries directly concerned. The almost insuperable difficulties formerly experienced by smaller States in expressing their views and making their influence felt in the settlement of questions of general interest have entirely disappeared. Meetings and conferences take place so frequently and continuously—in 1922, for example, they numbered 64, and have since increased—that the League may almost be regarded as a permanent international conference.

Such, in the briefest outline, is the work of the League during the past year. The conditions which have limited its range and effectiveness are obvious; and some of them are in all our minds at the present moment. Nevertheless, I desire to close this speech by expressing

a personal conviction, which, I believe, will be shared by most of those who have attended the preceding Assemblies and followed closely the work of the League during the last three years. I believe each year that has passed has seen the League more deeply rooted in the international life of the world, its work gradually extending in scope, the tasks entrusted to it increasing, its power to handle them developing, and its whole organisation becoming more effective. Gradually but surely, the League is progressing towards the day, which may still be distant but which will certainly be reached, when both in competence and effective authority it will be adequate for the great role conceived for it by the authors of the Covenant.

Ladies and gentlemen—I declare the fourth Assembly of the League of Nations open. (*Loud and prolonged applause.*)

2. — EARTHQUAKE DISASTER IN JAPAN : VOTE OF SYMPATHY WITH JAPAN.

Sir Joseph Cook (Australia). —Mr. President, I have learned since coming into the hall this morning—as, no doubt, you have already learned—of the appalling disaster which has befallen our good neighbour in the Pacific; I refer to the Japanese nation. It is, perhaps, fitting, before entering on the duties of the day, that we should pause for just a moment to express our deep sympathy with our colleagues representing that nation here—with the nation which they represent and with the victims of this fearful happening. Accordingly I invite the Assembly to pass the following resolution:

The Assembly expresses its profound sorrow at the appalling catastrophe which has overtaken the Japanese nation and desires to tender to the victims its deepest sympathy.

It is, perhaps, fitting in some ways that I should propose a resolution of this kind, having regard to the fact that we are near neighbours in the Pacific. May I pause to say here that we have for a long time now come to regard that great nation as our good neighbour and to entertain for her the deepest respect and highest esteem. Accordingly, it is appropriate, when a catastrophe of this kind overtakes the nation, that we should tender to it our profoundest expressions of sorrow and our hope that a kind Providence may soften the blow and in some way ameliorate and allay the distress of its people. We can but stand dumb in the face of these cataclysmic occurrences; we do not understand just exactly how and why they occur, and it is cold comfort, too, to remember that nature in her own way will make amends. That does not help us at this tragic moment. One may therefore only hope that Mother Nature may make it up to this great nation in some way or other. I accordingly move the above resolution. If it does nothing else it will help to assuage the grief of those who are sufferers by this occurrence, and it will at any rate make it clear to the world that beyond and beneath all our controversies, and all the things that divide, there is the great common human feeling uniting the minds and hearts of all of those assembled in this great League of Nations as they pause in their business this morning to tender to their stricken comrades their deepest consideration and their profoundest sympathy. (*Applause.*)

The Chairman:

Translation: The first delegate of Chile will address the Assembly.

M. Edwards (Chile):

Translation: Ladies and Gentlemen—As President of the last Assembly I think shall be expressing your

thoughts if I say that the present Assembly unanimously shares the sentiments to which the first delegate of Australia has given such eloquent expression. (*Applause.*)

The League of Nations, the loftiest symbol of the solidarity of mankind, cannot but send at the present moment, to the great nation which has been visited by an appalling disaster, a vote of sympathy—nay, more than this: an expression of its warm feeling of brotherhood, a word of hope and of encouragement. With their boundless energy and their sagacity, the Japanese people and Government will assuredly discover the means to effect a speedy recovery from this terrible catastrophe and to continue uninterruptedly the wonderful advance made by Japan along the road of civilisation and progress.

I have the honour, Sir, to accord my warm support to the motion put forward by the first delegate of Australia. (*Unanimous applause.*)

The Chairman :

Translation : The delegate of Persia will address the Assembly.

Prince Arfaed-Dovleh (Persia) :

Translation : Mr. Chairman, gentlemen—In this hall, in which representatives of all the nations are gathered together, we must consider ourselves as brothers of a single family: the human family. We must rejoice in the happiness of each of the States represented in this Assembly, and we must mourn for the sorrows of each.

The melancholy news which has reached us from Asia to-day is, I am sure, a source of profound sorrow and mourning to all who are present here.

For my own part, I can fully realise the grief felt by Japan, for quite recently we ourselves experienced a similar catastrophe, when one of the largest cities in Chorasán and thirty villages were destroyed by an earthquake. I am therefore sensible of what must be the sufferings of the unfortunate Japanese families who are the victims of this disaster.

On behalf of the Persian people, on behalf of Asia, I wish to express our profound sorrow to the Japanese Government and nation and to our distinguished colleagues from Japan. In conjunction, therefore, with the delegate of Chile, I wish to support the motion of the Australian delegate. (*Applause.*)

The Chairman :

Translation : Does anyone wish to speak ?

I put to the vote the resolution which the Australian delegate has submitted to the Assembly and which is seconded by the delegates of Chile and Persia. It reads as follows :

The Assembly expresses its profound sorrow at the appalling catastrophe which has overtaken the Japanese nation and desires to tender to the victims its deepest sympathy.

The resolution was unanimously adopted.

The Chairman :

Translation : Ladies and gentlemen—On behalf of the Japanese delegation I desire to express my deep and sincere gratitude for the sentiments which you have manifested. I would ask you to believe that this demonstration of sympathy, coming as it does from

the League of Nations, which expresses the public opinion of the whole world, has touched me profoundly, and I know in advance how deeply the Japanese Government and nation will appreciate this heartfelt manifestation of international solidarity and brotherhood among the peoples. (*Loud applause.*)

3.—ELECTION OF THE COMMITTEE ON THE CREDENTIALS OF DELEGATES.

The Chairman :

Translation : Ladies and gentlemen—In conformity with Rule 5 of the Rules of Procedure of the Assembly, the Committee to report on the credentials of delegates should be elected by the Assembly in order to submit its report without delay. This Committee should consist of eight members.

M. Flieder (Czechoslovakia) :

Translation : Mr. Chairman, ladies and gentlemen—The Rules of Procedure adopted by the Assembly lay down that the credentials of each delegate must be examined by a Committee of eight members. This Committee must be elected at the first meeting of the Assembly and must carry out its task immediately.

I have therefore the honour to propose to the Assembly a list of eight members to form this Committee. I am, of course, only making a suggestion after discussing the matter with some of my colleagues. By voting the complete list immediately we shall accelerate the progress of our work. I accordingly venture to submit the following list to the Assembly :

Dr. Aristides de AGUERO y BETHANCOURT (Cuba).
Mr. Herbert R. BROOKES (Australia).
M. Gustave GUERRERO (Salvador).
M. J. de MODZELEWSKI (Poland).
M. Charles PUSTA (Esthonia).
M. Miloutine YOVANOVITCH (Kingdom of the Serbs, Croats and Slovenes).
M. TCHENG LOH (China).
M. César ZUMETA (Venezuela).

The Chairman :

Translation : Are there any observations with regard to this proposal ? Does any member wish to propose any other candidate ? If there is no opposition I declare the proposal adopted.

The Committee to report on the credentials of delegates will therefore consist of the members proposed by the delegate for Czechoslovakia.

The list proposed by M. Flieder was adopted.

The Chairman :

Translation : The Assembly would be glad to receive the report of this Committee as soon as possible—this afternoon, perhaps. I would therefore request it to meet as soon as possible at the offices of the Secretariat. If this Committee could meet at 3 o'clock this afternoon it would be very convenient for the procedure of the Assembly.

The next meeting of the Assembly will take place at 4 o'clock this afternoon.

The Assembly rose at 12.15 p.m.

SECOND PLENARY MEETING.
Monday, September 3rd, 1923, at 4 p.m.

CONTENTS :

4. ELECTION OF PRESIDENT OF FOURTH ASSEMBLY.
5. PRESIDENTIAL ADDRESS.
6. CREDENTIALS OF DELEGATES.
Report of Committee on Credentials.
7. CONSTITUTION OF COMMITTEES.
8. AGENDA COMMITTEE.
Appointment.
9. AGENDA.
Examination and adoption.
10. AGENDA.
Distribution of items among the Committees.

**4. — ELECTION OF THE PRESIDENT OF THE
FOURTH ASSEMBLY.**

Viscount Ishii, delegate of Japan, Acting President of the Council, in the Chair.

The Chairman :

Translation : Ladies and gentlemen—The report of the Committee on Credentials will not be ready for half an hour. The Assembly will probably wish to proceed immediately to the election of the President. (*Assent.*)

I call upon M. Skirmunt, delegate of Poland, and M. Urrutia, delegate of Colombia, to be good enough to act as tellers.

The votes of the delegations were taken in turn by secret ballot.

The Chairman :

Translation : The result of the election is as follows :

No. of States voting	45
Majority required.	23
M. de la TORRIENTE Y PERAZA (Cuba) received	24 votes
M. MOTTA (Switzerland) received	19 »
Another member of the Assembly received.	1 »
Blank voting paper.	1 »

I have therefore the honour, according to the Rules of Procedure, to announce that M. de la TORRIENTE Y PERAZA is elected President of the Assembly. (*Loud applause.*)

(M. de la Torriente y Peraza then took the Presidential Chair amidst unanimous applause).

5. — PRESIDENTIAL ADDRESS.

M. de la Torriente y Peraza (Cuba), President of the Assembly :

Translation : Ladies and gentlemen—Last year it was my earnest endeavour to fulfil my duty to your

entire satisfaction. Nevertheless, when, a few hours ago, I arrived in this fair city of Geneva, I did not imagine that Latin America and my country, the Cuban Republic, would receive this great honour, or that one of its most modest sons would be chosen to preside over the fourth Assembly of the League of Nations—the most powerful, the most altruistic international association which has ever existed ; powerful, because it includes the representatives of fifty-two States, and will soon include many more ; altruistic, for this is the only fitting term for a body whose principal aim it is to bring about, by means of international co-operation, the triumph of right and justice, and the consolidation of peace among the peoples of the earth.

You may rest assured, gentlemen, that I shall endeavour to justify the confidence which you have placed in me by doing me the great honour of electing me as President of the Assembly. In carrying out my lofty task, I shall seek inspiration in the laudable examples set by M. Hymans, the eminent Belgian statesman, by Jonkheer van Karnebeek, the distinguished Foreign Minister of the Netherlands, and by my great friend, the distinguished Chilean diplomat, M. Agustin Edwards. I hope that by so doing I shall prove equal to my task.

I regard the honour which you have done me as evidence of your goodwill ; I shall endeavour to show myself worthy of it by bringing your work to a successful issue, so that the whole world may welcome the resolutions which you adopt, and so that I shall be able to forgive myself for my audacity in having agreed to be your President—an audacity which can find no other excuse than your goodwill and the wish of all those who, like ourselves, love their country and can lose no opportunity of paying it such an exceptional honour. (*Applause.*)

I propose that the Assembly should now adjourn for a few minutes in order to enable the delegations to come to an agreement as to the order in which the work of the Assembly shall be taken. (*Unanimous assent.*)

The meeting was adjourned at 4.55 p.m. and reopened at 5.10 p.m.

**6. — CREDENTIALS OF DELEGATES: REPORT
OF THE COMMITTEE ON CREDENTIALS.**

The President :

Translation : The first item on the Agenda is the report of the Committee on Credentials.

I call upon M. de Aguero y Bethancourt to read his report.

M. de Aguero y Bethancourt (Cuba), Chairman and Rapporteur of the Committee on Credentials :

Translation : The Committee entrusted by the Assembly with the duty of reporting on the credentials of delegates met at 3 p.m. at the Secretariat of the League of Nations. M. de Aguero y Bethancourt was elected Chairman, and was entrusted with the duty of drawing up the report.

The Committee examined the documents transmitted to it by the Secretary-General, and found that the following States are represented by delegates who are in possession either of letters of credentials from heads of States, or of letters from Ministers for Foreign Affairs, or telegrams from the same source, or letters from the representatives on the Council, announcing in most cases the arrival of signed letters giving full powers:—

Albania, Australia, Austria, Belgium, Brazil, British Empire, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Estonia, Finland, France, Greece, Haiti, Honduras, Hungary, India, Japan, Latvia, Liberia, Lithuania, the Netherlands, New Zealand, Norway, Paraguay, Persia, Poland, Roumania, Salvador, Kingdom of the Serbs, Croats and Slovenes, Siam, South Africa, Spain, Sweden, Switzerland, Uruguay, Venezuela.

The following have presented credentials in writing or by telegram: Italy and Portugal.

The Persian Minister for Foreign Affairs has telegraphed, renewing the mandate of the first delegate for Persia; the second delegate has notified his appointment in person.

The Committee considers that the representatives of these States Members are duly accredited. It would like, however, to repeat the recommendation expressed last year, that in future, representatives to the Assembly should be accredited at least by a letter or telegram from the Minister for Foreign Affairs of their country.

The Committee also found that the following States Members have not presented any documents regarding their representation at the fourth Assembly of the League of Nations:—

The Argentine Republic, Bolivia, Guatemala, Luxemburg, Nicaragua, Panama and Peru.

I should add, however, that the delegate of Panama has just informed me that he is expecting a telegram at any moment from the Minister for Foreign Affairs of his country accrediting him to the League of Nations.

Geneva, September third, one thousand nine hundred and twenty-three.

(Signed): AGUERO DE BETHANCOURT.

The President :

Translation : I thank the Chairman of the Committee on Credentials for his report.

Does anyone wish to speak on this report ?

If no one calls for a vote I declare the report adopted.

The conclusions of the report were adopted.

7. — CONSTITUTION OF COMMITTEES.

The President :

Translation : In accordance with precedent, the first item to be decided by the Assembly is the constitution of Committees. In order that the General Committee of the Assembly may be formed, these Committees must elect their Chairmen, who, together with the six Vice-Presidents elected by the Assembly, will form this General Committee.

In accordance with the distribution of work adopted by previous Assemblies, the fourth Assembly will probably wish to set up six Committees, the first to deal with constitutional and legal questions, the second with technical organisations, the third with the reduction of armaments, the fourth with budgetary and financial questions, the fifth with social and general questions, the sixth with political questions.

It may be assumed that, as a rule, the first three and last three Committees will meet alternately every other day. This information may be a useful guide to delegations in their choice of the members who are to take part in the work of each of these Committees.

If the Assembly accepts this suggestion, the Secretariat will supply the delegations with forms on which to enter the names of delegates and substitutes who are to sit on each Committee.

As soon as these lists have been collected, each Committee will meet to elect its Chairman and Vice-Chairman. In this way the Assembly will know at its next meeting the names of the Chairmen of Committees, and will then be able to elect the six Vice-Presidents of the Assembly.

If no one wishes to speak, I shall consider this procedure as adopted. (*Assent.*)

8. — AGENDA COMMITTEE: APPOINTMENT.

The President :

Translation : I would suggest that the Assembly should follow the precedent of the last Assembly, and that it would seem advisable to form a small committee of seven members to examine the procedure to be followed in regard to the addition of new questions to the Agenda.

If the Assembly concurs, and if no delegation has any motion to bring forward as regards the members of the committee, I would venture to propose the following list:—

Sir James ALLEN (New Zealand).

M. ERICH (Finland)

M. HYMANS (Belgium).

M. LOUDON (Netherlands).

M. DISSESCO (Roumania).

Prince CHAROON (Siam).

M. GUANI (Uruguay).

If no one has any objection to raise, I shall consider the list adopted.

Dr. F. J. Urrutia (Colombia) :

Translation : Mr. President, gentlemen—Though entirely in agreement with the list put before us, I beg to enquire, with all due respect to the Chair, whether the Rules of Procedure do not provide for a secret ballot on the election. I should be glad to know the course of procedure followed by previous Assemblies.

The President :

Translation : The procedure adopted last year was that which I have proposed to follow in the present instance. The case was the same in all other years. The Rules of Procedure include no provision regarding this point.

If no one has any observation to make, I shall take it that the Assembly agrees to the above procedure. (*Assent.*)

9. — AGENDA: EXAMINATION AND ADOPTION.

The President :

Translation : Unless any Delegation desires a vote, I propose, with a view to shortening the procedure, that the Assembly should take a decision on the first part of the Agenda as a whole, that is to say, on Items No. 1-26 in the document which has been distributed to the Assembly. (Annex 1, Document A. 8 (2) 1923.)

Does everyone agree ? (*Assent.*)

The President :

Translation : As regards the second portion of the Agenda—I refer to the supplementary list of items

circulated subsequently to May 1st, 1923—I would suggest that the Assembly should take a decision on each point separately :

No. 27. Amendment of Article 16 of the Covenant. (Item circulated at the request of the British Government.) (*Assent.*)

No. 28. Item circulated at the request of the Spanish Government concerning the equivalent validity of university diplomas, and the establishment of an international university, etc. (*Assent.*)

No. 29. Report on the erection of a conference hall. (*Assent.*)

Lastly, the Secretary-General informs me that the Council has decided to request the Assembly to include the following item on the Agenda :

“Reports on the work of the Commission for the Protection of Women and Children in the Near East.”
Has anybody any objection ?

If not, this question might be considered as Item 30 of the Agenda.

10. — AGENDA: DISTRIBUTION OF ITEMS AMONG THE COMMITTEES.

The President :

Translation : I think that, in accordance with custom, the simplest procedure would be for me to make proposals regarding the distribution of the items of the Agenda among the various Committees of the Assembly. Most of the questions would not appear to require discussion. The Assembly might, I think, refer Items 9 and 27 to the First Committee. (*Assent.*)

The Second Committee might deal with points 12, 13 and 14. In view of the part taken by the Economic Committee and the Financial Committee in the restoration of Austria, the Second Committee will no doubt be able to examine in detail the methods followed in

connection with this part of the work of the League of Nations. The Assembly will also, I am sure, consider that it would be best to refer to the Second Committee that portion of the report on Greek refugees (Item 17 of the Agenda), which deals with the schemes drawn up or contemplated for the settlement of these refugees. (*Assent.*)

Sir Lomer Gouin (Canada) :

Translation : I have not understood the President with regard to Item 9 on the Agenda relating to the amendment proposed to Article 10 of the Covenant. Am I right in supposing that that question is to be referred to a Committee ?

The President :

Translation : It will be referred to the First Committee.

The Third Committee might deal with Item 7 of the Agenda. (*Assent.*)

The Fourth Committee might deal with Items 10, 11, 19, 24 and 29. (*Assent.*)

The Fifth Committee might deal with Items 15, 16, 17 (except that, as I have proposed, this last item should be divided between the Second and Fifth Committees) and 18. I would also propose that Item 28 of the Agenda, which is closely connected with the work of the Committee on Intellectual Co-operation, should be dealt with by the Fifth Committee. (*Assent.*)

The Sixth Committee might deal with Items 8, 22, 23 and 25. (*Assent.*)

Do any delegations wish to make observations on the distribution of work which I have proposed ?

If there is no objection, I shall consider this arrangement adopted. (*Assent.*)

If the delegates agree, the next plenary meeting of the Assembly will take place to-morrow at noon, when the six Vice-Presidents will be elected. (*Assent.*)

The Assembly rose at 5.40 p.m.

THIRD PLENARY MEETING

Tuesday, September 4th, 1923, at 12 noon.

President: M. DE LA TORRIENTE Y PERAZA.

CONTENTS :

11. CHAIRMEN OF COMMITTEES.
Announcement of Chairmen.
12. CREDENTIALS OF DELEGATES OF PANAMA.
Report of Committee on Credentials.
13. SUBSTITUTE DELEGATE FOR FINLAND.
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14. VICE-PRESIDENTS OF ASSEMBLY.
Election of six Vice-Presidents.
15. REPORT ON WORK OF COUNCIL AND SECRETARIAT.
Adjournment of discussion.
16. PROTECTION OF WOMEN AND CHILDREN IN THE NEAR EAST.
Reference of Item 30 of Agenda (Reports on the Work of the Committee for the Protection of Women and Children in the Near East) to the Agenda Committee.

11.—ANNOUNCEMENT OF THE CHAIRMEN OF COMMITTEES.

The President :

Translation : The following is a list of the Chairmen elected this morning by the Committees:—

<i>Committees.</i>	<i>Chairmen.</i>
No. I.	M. MOTTA (Switzerland).
„ II.	THE MAHARAJAH OF NAWANAGAR (India).
„ III.	M. SKIRMUNT (Poland).
„ IV.	M. NINTCHITCH (Kingdom of the Serbs, Croats and Slovenes).
„ V.	M. DE MELLO-FRANCO (Brazil).
„ VI.	M. HYMANS (Belgium).

12.—CREDENTIALS OF THE DELEGATES OF PANAMA : REPORT OF THE COMMITTEE ON CREDENTIALS.

The President :

Translation : I call upon M. de Aguero y Bethancourt to make a communication on behalf of the Committee on Credentials.

M. de Aguero y Bethancourt (Cuba) :

Translation : The Committee on Credentials has just received a telegram from the Minister for Foreign Affairs of the Republic of Panama announcing that the Republic of Panama has nominated M. Antonio Burgos and M. Raoul A. Amador as representatives of Panama to the fourth Assembly of the League of Nations.

The Committee on Credentials is of opinion that the representatives of Panama named in the telegram which we have received should be accredited.

The President :

Translation : Does anyone wish to speak ?

We thank the Committee for this communication, which has been duly noted.

13.—APPOINTMENT OF A SUBSTITUTE DELEGATE FOR FINLAND.

The President :

Translation : I wish to read to the Assembly the following communication which I have just received from the Finnish delegation :—

“ I have the honour to inform you that the Finnish delegation to the fourth Assembly of the League of Nations has appointed M. Urho Toivola as substitute member of the delegation.

(Signed) ENCKELL,
President of the delegation.”

14.—ELECTION OF THE SIX VICE-PRESIDENTS.

The President :

Translation : Under Rule 7, paragraph 1, of the Rules of Procedure of the Assembly, the Agenda includes the election of the six Vice-Presidents, and we shall therefore proceed to ballot for this election.

Let me remind you that Rule 21, paragraph 3, of our Rules of Procedure, which applies to this election, is worded as follows :—

“ When a number of elective places of the same nature are to be filled at one time, those persons who obtain an absolute majority at the first ballot shall be elected. If the number of persons obtaining such majority is less than the number of persons to be elected, there shall be a second ballot to fill the remaining places, the voting being restricted to the unsuccessful candidates who obtained the greatest number of votes at the first ballot, not more than double in number the places to be filled. Those candidates, to the number required to be elected, who receive the greatest number of votes at the second ballot shall be declared elected.”

The election of the six Vice-Presidents should therefore take place by secret ballot.

I call upon M. Mensdorff-Pouilly-Dietrichstein (Austria) and M. Guerrero (Salvador) to be good enough to act as tellers.

The votes of the delegations were taken in turn by secret ballot.

The President :

Translation : Gentlemen, the result of the ballot is as follows :—

Number of States voting.	44
Majority required. "	23

The analysis of the voting is as follows :—

Lord Robert CECIL (British Empire)	42	votes
Viscount ISHII (Japan)	41	”
M. HANOTAUX (France).	35	”
Count de GIMENO (Spain)	31	”
M. FORTOUL (Venezuela)	31	”
M. PUSTA (Esthonia)	23	”

In accordance with the Rules of Procedure, I have therefore the honour to declare these delegates Vice-Presidents of the Assembly. (*Applause.*)

I should like to congratulate those of our colleagues who have been elected Vice-Presidents of the Assembly.

15.—REPORT ON THE WORK OF THE COUNCIL AND OF THE SECRETARIAT : ADJOURNMENT OF THE DISCUSSION.

The President :

Translation : According to the Agenda, we should now proceed to discuss the report to the fourth Assembly on the work of the Council and the Secretariat and on the measures taken to execute the decisions of the Assembly. Before beginning this discussion, however, I would venture to make a suggestion of a general nature regarding the method to be followed in the distribution of our work.

In accordance with precedent, the debates in the Assembly should as far as possible take place concurrently with the meetings of the Committees ; that is to say, the Assembly should meet in the morning and the Committees in the afternoon.

Accordingly I propose that this afternoon, and all other afternoons, should be given up to the meetings of the Committees, while the mornings would be devoted to the discussions in the Assembly. As, however, the Council is due to meet to-morrow (Wednesday) morning, I suggest that the next meeting of the Assembly should be fixed for Thursday.

Has anybody anything to say ? If not, I shall consider the proposal adopted. (*Assent.*)

I would venture to remind you of the recommendations adopted last year regarding the debates in the Assembly on the report by the Council. The recommendations to which I refer were adopted by the General Committee, and they may perhaps be used both as a guide for the procedure of this Assembly and also to assist me in exercising the powers conferred upon me by Rules 8 and 15 of the Rules of Procedure. Let me quote the recommendations in full :—

“ (1) The report by the Council on its work of the year shall be communicated to the Assembly at the beginning of the session, and as a general rule it shall constitute the first subject on the agenda after the organisation of the Assembly has been completed.

“ (2) The report by the Council shall be submitted for debate in the Assembly, to be opened with a general discussion, which may be followed by consideration of particular subjects dealt with in the report or arising out of it.

"(3) The delegates shall be invited to inform the President before the beginning of the debate, or as soon thereafter as possible, whether they desire to participate, indicating at the same time their wishes as to engaging in the general debate, or more particularly in the discussion of specific matters covered by the Council's report; they should be invited to state also the subjects with which they wish to deal specially in the specific discussion.

"(4) The President will propose to the Assembly, as early as possible, the subjects to be covered in the specific discussion following the general debate, arranging to have speakers on the same topic heard in succession. The delegates will be invited to limit their speeches in the special debates, as far as possible, to the special topics under discussion at the time. It is in no sense inconsistent with the present recommendations, that delegates taking part in the general discussion should on that occasion refer to subjects on which a specific discussion will take place."

In accordance with these recommendations, I would ask delegates to inform me as soon as may be convenient to them:—

1. Whether they desire to participate in the debate on the report on the work of the Council;
2. Whether they wish to engage in the general debate, or more particularly in the discussion of specific matters; they should also state the subjects with which they wish to deal specially.

16.—PROTECTION OF WOMEN AND CHILDREN IN THE NEAR EAST : REFERENCE OF ITEM 30 OF AGENDA TO AGENDA COMMITTEE.

The President :

Translation : I venture to point out to the Assembly that as regards Item 30 of the Agenda (Reports on the Work of the Commission for the Protection of Women and Children in the Near East), which was sent in by the Council after the Agenda and Supplementary List were published, it would be best to refer it, in accordance with Rule 4, paragraph 4, of the Rules of Procedure, to the Agenda Committee, and to ask the latter to submit any proposals it may have to make as regards placing this question on the Agenda.

If there is no objection, the Item will be referred to the Committee as proposed. (*Assent.*)

I would suggest that the Fourth, Fifth and Sixth Committees should meet at the Secretariat at 4 p.m. to-day to elect their Vice-Chairmen and to discuss their agenda.

The First, Second and Third Committees will meet at the Secretariat at 3.30 p.m. on Wednesday, September 5th, to elect their Vice-Chairmen and to discuss their agenda.

The next meeting of the Assembly will be held at 11 a.m. on Thursday, September 6th.

The Assembly rose at 1 p.m.

FOURTH PLENARY MEETING

Monday, September 10th, 1923, at 11 a.m.

President : M. DE LA TORRIENTE Y PERAZA.

CONTENTS:

17. SUBSTITUTE DELEGATES FOR CUBA AND CZECHOSLOVAKIA.
Appointment.
18. BUDGET.
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19. PROTECTION OF WOMEN AND CHILDREN IN THE NEAR EAST.
Report of Agenda Committee on Item 30 of the Agenda (Reports on the Work of the Committee for the Protection of Women and Children in the Near East).
20. PERMANENT COURT OF INTERNATIONAL JUSTICE.
Election of a Judge in place of M. Ruy Barbosa.
21. ADMISSION OF IRISH FREE STATE TO LEAGUE.
Report of Sixth Committee.
(a) Credentials of delegates: Report of Committee on Credentials.
(b) Speech by Mr. Cosgrave.
22. EARTHQUAKE DISASTER IN JAPAN.
Expression of sympathy with Japan.

17.—APPOINTMENT OF SUBSTITUTE-DELEGATES FOR CUBA AND CZECHOSLOVAKIA.

The President :

Translation : Ladies and gentlemen—We have received a letter from the Cuban delegation to the effect that M. Guillermo de Blanck and M. Carlos de Armenteros, Ministers Plenipotentiary, have been appointed as substitute-delegates for Cuba.

We have also received a letter from the Czechoslovak delegation to the effect that M. Kunzl-Jizersky, Councillor of Legation in the Political Department of the Ministry for Foreign Affairs at Prague, has been appointed substitute-delegate for Czechoslovakia.

18.—BUDGET: PROCEDURE AS TO THE ADOPTION OF THE BUDGET AT A PLENARY MEETING OF THE ASSEMBLY.

The President :

Translation : Ladies and gentlemen—The question of the procedure to be followed in regard to the adoption of the budget at plenary meetings of the Assembly (which, as you will remember, was referred to the

Council by the third Assembly) might now be examined by the General Committee of the Assembly. I therefore ask you to authorise me to refer the question to the General Committee. (*Assent.*)

19.—PROTECTION OF WOMEN AND CHILDREN IN THE NEAR EAST: REPORT OF AGENDA COMMITTEE ON ITEM 30 OF AGENDA.

The President :

Translation : The Assembly has received from the Agenda Committee the following report :—

“The Committee, charged with the duty of giving an opinion as to the inclusion in the Agenda of proposals submitted to the Assembly during the session, has taken note of the following resolution adopted by the Council on the report of M. Hymans :

“The Council of the League of Nations decides to request the Fourth Assembly to place upon its Agenda the reports of Dr. Kennedy and Miss Jeppe, dated July 21st and August 16th respectively, relating to the work of the Commission of the League of Nations for the Protection of Women and Children in the Near East.”

“The Committee considers itself justified in proposing that the Assembly should include this proposal in its Agenda, and send it to the Fifth Committee.”

Item 30 of the Agenda was referred to the Fifth Committee.

20.—ELECTION OF A JUDGE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

The President :

Translation : The next item on the Agenda is the election of a judge of the Permanent Court of International Justice, to fill the vacancy caused by the death of M. Ruy Barbosa.

M. Urrutia will address the Assembly.

M. Urrutia (Colombia) :

Translation : Mr. President, ladies and gentlemen—At the present moment, when the Assembly is about to elect a new member of the Permanent Court of International Justice, may I, from this platform, pay a tribute—in which I respectfully invite the Assembly to join—to the memory of M. Ruy Barbosa ?

The death of this eminent statesman, this illustrious diplomat and jurist, was a grievous loss, not only to his country, Brazil, but also to all the peoples of America, who regarded him as shedding a lustre on their whole continent, and who can never forget the valuable work which he accomplished for them at the second Hague Peace Conference.

The lofty ideals and the generous efforts of this publicist and orator have left a deep impression on the international history of recent years. For this reason they will always be referred to with admiration and gratitude by all who desire and are working for the extension of the reign of law throughout the world. (*Unanimous applause.*)

The President :

Translation : Before proceeding to the election of a Judge of the Permanent Court of International Justice, I have two communications to make to the Assembly.

M. Politis, the delegate of Greece, has informed the Secretary-General that he does not wish to stand as a candidate for the post of judge of the Permanent Court of International Justice.

M. Alejandro Alvarez, delegate of Chile, has requested me to communicate to the Assembly a declaration, which will now be read :—

Translation :

Sir,

At the moment when the Assembly is about to elect a judge to fill the vacancy in the Permanent Court of International Justice, I desire to assure it once again of my gratitude, and I would beg you to bring the following declaration to its notice :

On the occasion of the fifth American Conference, which was held last April, I informed my Government that as I was animated by the desire to devote all my efforts to the great work of International Law Codification undertaken by the American States, I could not for the time being contemplate being a candidate for membership of the Court.

I may remind you that the Santiago Conference decided that the Assembly of American Jurists, which met at Rio de Janeiro in 1912 in order to undertake this work of codification, should resume its work in the same city in 1925, and should take as a basis of discussion the draft proposals which I laid before the fifth Conference in this connection.

It is therefore my duty to devote myself entirely to the completion of this work in order that I may thereby prove myself worthy of the great honour which has been conferred upon me.

I desire to express my most sincere gratitude for the kindness of those Governments which have proposed my name as a candidate for membership of the Court of Justice, and to express the wish that the functions fulfilled by M. Ruy Barbosa, the illustrious jurist, who is the pride of our continent, should fall by election to the lot of some other great American jurist, who may prove worthy of his predecessor.

(*Signed*) Alejandro ALVAREZ.

The President :

Translation : You no doubt have before you the report (Annex 2; A. 59, 1923) adopted on Friday last by the General Committee in regard to the election of a judge of the Permanent Court of International Justice, and the measures to be taken for the election in accordance with the Statute of the Court. I do not think it need be read. (*Assent.*)

I propose that, in addition to the Secretary-General, M. Zahle (Denmark) and M. Osusky (Czechoslovakia), should act as tellers. (*Assent.*)

The voting will now begin.

(*The votes of the delegations were taken in turn by secret ballot.*)

The President :

Translation : Gentlemen, the result of the election is as follows :—

Number of States voting	46
Majority required	24
M. PESSOA (Brazil)	received 34 votes
M. AMEER-ALI (India)	4 "
M. ZEBALLOS (Argentine)	2 "
M. ANGLIN (Canada)	1 "
M. DE LA BARRA (Mexico)	1 "
M. DESCAMPS (Belgium)	1 "

M. GUERRERO (Salvador)	received	1	votes
M. HAMMARSKJÖLD (Sweden)		1	"
Sir JOHANNES W. WESSELS (South Africa)		1	"

I therefore announce that M. Pessoa is elected.
(*Applause.*)

I would remind the Assembly that we must await the result of the election which is being held by the Council at this moment.

The meeting will now adjourn.

The meeting adjourned at 11.40 a.m. and was resumed at 11.50 a.m.

The President :

Translation : I have received the following letter from the President of the Council :—

I have the honour to inform you that the Council, in accordance with Article 8 of the Statute of the Permanent Court of International Justice, has just taken a vote on the election of a successor to M. Ruy Barbosa.

M. Epitacio da Silva Pessoa has obtained the required majority of votes.

(Signed) K. ISHII,

President of the Council of the League of Nations.

As M. Epitacio da Silva Pessoa has been chosen both by the Assembly and by the Council, I declare him elected as a judge of the Permanent Court of International Justice. (*Loud applause.*)

M. de Mello-Franco, delegate of Brazil, will address the Assembly.

M. de Mello-Franco (Brazil) :

Translation : Mr. President, ladies and gentlemen—The great principle of the legal equality of sovereign States is sanctified by the Statutes of the Permanent Court of International Justice, and forms the cornerstone of the edifice created by international law. It is the driving force to which the world owes the existence of this great and noble institution, which is the offspring of the Covenant of the League of Nations, and the gratifying materialisation of which marks the greatest advance yet made in the evolution of law and the development of justice between States.

The League of Nations, when it exercises the supreme right of electing judges for its great tribunal, does not take the nationality of the candidates into consideration, for the reason that the judges appointed by the League are invested with the international status which is the very essence both of the League itself and of the Covenant which gave it birth.

All States take part in the election in full and equal sovereignty, and the Assembly chooses freely from the candidates, being guided solely by their personal merits, and leaving all considerations of nationality aside.

As Professor Rougier has observed, the election of a judge does not imply any advantage for the State of which he is a national, nor does it imply any slight upon the States of which the unsuccessful candidates are nationals.

The happy arrangement under which fifteen judges are chosen from the forty-eight Members of the League, without prejudice to the principle of equal sovereignty, has secured to all nations a valuable acquisition, the establishment of the great legal institution to which those noble minds, whose efforts throughout the ages have been directed towards the ideal of peace between the peoples, have devoted their unremitting attention.

Mankind cannot omit from the historic roll of thinkers who have contributed to the final triumph of the doctrine of the submission of States, be they strong or

weak, to law and justice, internationally organised, the glorious name of Ruy Barbosa, whose life may be summed up in the striking phrase of one of his fellow-countrymen: "His guiding principle as a public man has ever been to follow the straight course between the domains of law and liberty".

Gentlemen, you can well understand how greatly we Brazilians are honoured by the election of another of our fellow-countrymen to replace the great judge whom we have lost.

We may, nevertheless, all congratulate ourselves, and you too, upon the happy choice that has been made of the eminent Brazilian jurist, M. Epitacio Pessoa, who is not only one of the most distinguished judges who have ever sat in the Federal Court of Justice of Brazil, but who has also co-operated in the most brilliant manner both in our internal legislation and in public international law, as is shown by the important work which he accomplished at the third Pan-American Conference, and in the drawing up of the Treaty of Versailles, which is the source and origin of our supreme law, the Covenant of Nations.

Gentlemen, on behalf of the Brazilian delegation, and as representative of Brazil, I beg this august Assembly to accept our deep gratitude for the honour done by the Assembly to the memory of Ruy Barbosa, and for the election of M. Epitacio Pessoa. (*Applause.*)

The President :

Translation : Count de Gimeno, first delegate of Spain, will address the Assembly.

Count de Gimeno (Spain) :

Translation : The Spanish delegation, bound by ties of affection with America, feels that it must be the first to express the Assembly's satisfaction at the election of M. Epitacio Pessoa as a member of the Permanent Court of International Justice.

It also wishes to congratulate Brazil, and is confident that M. Pessoa, whose competence and authority are well known, will carry out his duties with success. (*Applause.*)

21.—ADMISSION OF THE IRISH FREE STATE: REPORT OF SIXTH COMMITTEE.

The President :

Translation : The next item on the Agenda is the consideration of the report of the Sixth Committee upon the admission of the Irish Free State to the League.

In the absence of M. Hymans, Chairman of the Committee, I call upon M. Titulesco, Vice-Chairman, and M. Meierovics, Rapporteur, to take their places on the platform.

(*M. Titulesco and M. Meierovics took their places on the platform.*)

M. Meierovics (Latvia) :

Translation : Mr. President, ladies and gentlemen—On behalf of the Sixth Committee, I have the honour to lay before you the report on the admission of the Irish Free State (Annex 3, A. 63. 1923).

M. Meierovics read the report and concluded as follows :—

Translation : In conclusion, I would ask leave to express, on behalf of the Government and people of Latvia, the feelings of veneration and respect which we all feel for the noble Irish people, for whose

aspirations Latvia, in recollection of her own sufferings in the past, has always given evidence of deep sympathy.

At the same time I cannot but express my admiration for the generous spirit of the British nation, which, at the zenith of its power, has not been deaf to the Irish people's desire for freedom.

I sincerely welcome the Irish Free State as a Member of the League of Nations, and offer my best wishes for its prosperity. (*Applause.*)

The President :

Translation : If no one wishes to speak, I declare the discussion closed.

In accordance with Article 1 of the Covenant, a two-thirds majority of the Assembly is necessary for the admission of a State to the League of Nations. We must therefore take a vote by roll-call.

(*The vote was taken by roll-call, Members answering "Yes" or "No" or "Not voting" from their seats.*)

The following 46 States voted :—

Albania, Australia, Austria, Belgium, Brazil, British Empire, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Estonia, Finland, France, Greece, Haiti, Honduras, Hungary, India, Italy, Japan, Latvia, Liberia, Lithuania, Netherlands, New Zealand, Norway, Panama, Paraguay, Persia, Poland, Portugal, Roumania, Salvador, Kingdom of the Serbs, Croats and Slovenes, Siam, South Africa, Spain, Sweden, Switzerland, Uruguay, and Venezuela.

All the replies were in the affirmative.

The President :

Translation : As the Assembly has voted unanimously in favour of the admission of the Irish Free State, I declare the Irish Free State admitted to the League of Nations. (*Unanimous and prolonged applause.*)

I believe that I shall be interpreting the views of the whole League of Nations in congratulating the country which has just been admitted. (*Renewed applause.*)

21 (a).— CREDENTIALS OF DELEGATES OF IRISH FREE STATE : REPORT OF COMMITTEE ON CREDENTIALS.

The President :

Translation : The Chairman of the Committee on Credentials will address the Assembly.

M. de Aguero y Bethancourt (Cuba), Chairman and Rapporteur of the Committee on Credentials :

Translation : Ladies and gentlemen—I have the honour to inform you that the Committee on Credentials has examined the documents accrediting Mr. Cosgrave, Mr. MacNeill and Mr. Fitzgerald as delegates representing the Irish Free State, and, having found the documents in good and due form, proposes that these delegates should be admitted as representatives of the Irish Free State to the Assembly of the League of Nations. (*Applause.*)

The President :

Translation : Does anybody wish to speak ?
The conclusions of the report are adopted. (*Assent.*)

I will now call upon the Delegates of the Irish Free State to take their places among us.

(*The delegates of the Irish Free State took their seats amidst the unanimous and prolonged applause of the Assembly.*)

The President :

Translation : Mr. Cosgrave will address the Assembly.

(*Mr. Cosgrave, delegate of the Irish Free State, mounted the platform amidst the renewed applause of the Assembly.*)

21 (b).—SPEECH BY MR. COSGRAVE.

Mr. Cosgrave (Irish Free State) (speaking in Irish) :

Translation : In the name of God, to this Assembly of the League of Nations, life and health. We are delegates from Saorstát Éireann, from its Parliament and Government, who have come to you to signify that Saorstát Éireann desires to acquire membership of the League of Nations and to participate in the great work of this League. You have unanimously agreed to this request. We have found welcome and generosity from you all. We thank you, and we pray that our peace and friendship may be lasting.

(*Mr. Cosgrave then continued in English.*)

On behalf of Ireland, one of the oldest and yet one of the youngest of nations, and speaking for the Irish Government and the Irish delegation, I thank this Assembly of the League of Nations for the unanimous courtesy and readiness with which our application to be admitted to membership of the League has been received and approved.

Ireland, in ancient times linked by bonds of culture and of friendly intercourse with every nation to which the ambit of travel could carry her far-venturing missionaries and men of learning, has to-day formally, yet none the less practically, entered into a new bond of union with her sister nations, great and small, who are represented in this magnificent world concourse.

After a long journey through many tribulations, an international treaty has brought to Ireland peace, whereby the hostilities and bitterness of the past shall cease to inspire hymns of battle and shall merge in the pages of history. To-day, with all the nations whose spokesmen form this Assembly, Ireland joins in a solemn covenant to exercise the powers of her sovereign status in promoting the peace, security and happiness, the economic and cultural well-being of the human race.

Lofty ideals have inspired the best minds having faith in the power of goodwill and of joint international endeavour to operate for good through this Council of Nations. It is our earnest desire to co-operate with our fellow-members in every effort calculated to give effect to these ideals—to mitigate, and, whenever possible, to avert, the ancient evils of warfare and oppression ; to encourage wholesome and to discourage unwholesome relations between nation and nation ; to enable even the weakest of nations to live their own lives and make their own proper contribution to the good of all, free even from the shadow and the fear of external violence, vicious penetration, or injurious pressure of any kind.

In the actual proceedings which we have witnessed we have seen a keen appreciation of the fact that nations are interdependent in matters of economic and intellectual development. We hope that the means of closer intercourse provided or initiated through

the League of Nations will be helpful to the economic and educational progress for which Ireland is looking forward and always striving.

We willingly testify that the advocacy of these ideals has strongly attracted us towards the League of Nations, and if, as yet, the means provided have not always proved fully effective to secure their worthy ends, we are mindful of our national proverb, *Bionn gach tosnu lag* (Every beginning is weak), and we trust that in time to come adequate means and faithful use of them will justify our common hopes. Our history and the instinct of our hearts forbid us to think that temporary or even recurrent failures can deprive a just and steadfast purpose of the assurance of success.

Ireland counts on having no enemy and on harbouring no enmity in the time to come. She counts also on bringing forth fruits worthy of liberty. *Si tollis libertatem, tollis dignitatem*. These are the words of a famous Irishman of the sixth and seventh centuries. Inscribed on his tomb at Bobbio, in Italy, they met our eyes when, a few days ago, a happy conjuncture enabled the members of the Irish delegation to assist at the celebration of the thirteenth centenary of Saint Columbanus, pioneer of Ireland's moral and intellectual mission amongst the nations of Western Europe.

We shall return to our own country to take part with our own patriotic people in the onerous work of national construction and consolidation. The kind welcome, the cordial words of understanding, that have greeted us here on the part of every nation whose representatives we have met, will not be forgotten. They will cheer and sustain us in that work, and they will remind us too that as the life of a man is bettered and fructified beyond measure in the harmonious society of men, so must the life of nations reach a much fuller liberty and a much fuller dignity in the harmonious society of nations. (*Loud applause.*)

22. — EARTHQUAKE DISASTER IN JAPAN : EXPRESSION OF SYMPATHY WITH JAPAN.

The President :

Translation: M. Pusta, delegate of Esthonia, will address the Assembly.

M. Pusta (Esthonia) :

Translation: Mr. President, ladies and gentlemen—This, the fourth session of the Assembly of the League of Nations, opened amid general feelings of heartfelt grief at the terrible news of the unprecedented disaster which has overtaken the noble Japanese nation.

When the delegate of Australia referred to this great calamity, we all knew that the emotion which we felt was shared to the full by the peoples of our countries.

Now that the extent of the disaster is known—at any rate approximately—we see that it is indeed terrible; more than half a million people have been killed, several millions are homeless, and the material loss is beyond all estimation. Even amid the problems which are now engaging our attention, we cannot forget this misfortune.

This Assembly represents almost the whole of mankind, and, pending the measures of relief which are at present being organised, it would, I think, be fitting for us to repeat, in the name of all the grief-stricken nations, our expression of heartfelt sympathy for Japan, one of the great States Members of the League of Nations.

I would propose that the present meeting should conclude with an expression of our intense sympathy and of our admiration and friendship for Japan. (*Loud applause.*)

The President :

Translation: M. Adatci, delegate of Japan, will address the Assembly.

M. Adatci (Japan) :

Translation: Mr. President, ladies and gentlemen—You will all, I am sure, understand the intense emotion which I feel at the present moment, and I more than ever regret that my knowledge of French is wholly inadequate to express all that I feel.

A week ago, on the proposal of the Australian delegate, the Assembly unanimously expressed its profound sympathy with my far-distant country in its hour of misfortune. This was a great comfort to us, and we are still profoundly touched with gratitude in the midst of the greatest disaster that has ever been experienced in the long history of our country.

This morning our colleague, the Esthonian delegate, my great friend, M. Pusta, has once more expressed to this memorable Assembly, which has just admitted the noble Irish State into its ranks, the great sympathy felt by his country for our great misfortune.

How, indeed, can we express our thanks for these repeated marks of sympathy? I do not know what measures our colleagues propose to take with regard to my country, but you may be sure that this fresh manifestation, the conclusion of this meeting with another solemn expression of the sympathy of the League of Nations with Japan, will for long remain graven on the grateful memory of all my fellow-countrymen, who, as you know full well, are ever ready to appreciate all that is just, noble and beautiful—all that expresses delicacy of thought and feeling. (*Loud applause.*)

(*A number of delegates personally expressed their sympathy to the Japanese delegate.*)

The President :

Translation: I propose that the meeting be now adjourned in token of sympathy with the great Japanese nation. (*Unanimous assent.*)

If there is no objection, our next meeting will take place to-morrow at 11 a.m. (*Assent.*)

I would ask delegates who wish to speak during the general discussion of the report on the work of the Council, which is the first item on the Agenda, to hand in their names to me.

Does anyone else wish to speak?

The meeting will now adjourn.

The Assembly rose at 12.40 p.m.

FIFTH PLENARY MEETING

Tuesday, September 11th, 1923, at 11 a.m.

President: M. DE LA TORRIENTE Y PERAZA.

CONTENTS :

23. INTERNATIONAL FEDERATION FOR MUTUAL ASSISTANCE IN THE RELIEF OF PEOPLES OVERTAKEN BY DISASTER.

Reference of question to Agenda Committee.

24. RECONSTRUCTION OF AUSTRIA.

Report of Second Committee.

Speeches by M. Ador (Switzerland), M. Mensdorff-Pouilly-Dietrichstein (Austria), Sir Henry Strakosch (South Africa).

23.—INTERNATIONAL FEDERATION FOR MUTUAL ASSISTANCE IN THE RELIEF OF PEOPLES OVERTAKEN BY DISASTER: REFERENCE OF QUESTION TO AGENDA COMMITTEE.

The President :

Translation: Ladies and gentlemen—The next item on the Agenda is the report of the Second Committee on the reconstruction of Austria. Before this question is discussed, however, I should like to make an urgent communication to the Assembly.

At its meeting yesterday the Council took note of a report by the Secretary-General on a scheme submitted by the President of the Italian Red Cross for the creation of an international federation for mutual assistance in the relief of peoples overtaken by disaster.

At the same meeting the Council adopted the following resolution on this question:—

“The Council, having examined with great interest the report prepared by the Secretary-General on Senator Ciraolo's scheme, submits the scheme, together with the Secretary-General's report, for the consideration of the Assembly, and invites its concurrence in instructing the Secretary-General:

“ (1) To communicate these two documents, as well as any remarks thereon which may eventually be made by the Red Cross Organisation, to the various Governments, with the request that they should communicate their observations on the subject to the Secretariat:

“ (2) To keep the Council informed from time to time of the replies of the Governments, with a view to the ultimate submission to the Assembly of any proposals which the Council may see fit to recommend.”

I venture to propose to the Assembly that this question be submitted to the Agenda Committee, which will report on it to the Assembly.

If there is no opposition, I shall consider this proposal as adopted. (*Assent.*)

24.—RECONSTRUCTION OF AUSTRIA: REPORT OF SECOND COMMITTEE.

The President :

Translation: The next item on the Agenda is the report of the Second Committee on the reconstruction of Austria.

In accordance with precedent, I beg to invite the Maharajah of Nawanagar, Chairman of the Second Committee, and M. Ador, Rapporteur, to take their places on the platform.

(*The Maharajah of Nawanagar and M. Ador took their places on the platform.*)

M. Ador (Switzerland), Rapporteur :

Translation: Mr. President, ladies and gentlemen—Before reading the report which the Second Committee has entrusted me to lay before you on its behalf, I should like to pay a debt of gratitude to the Secretariat of the League of Nations. Owing to the shortness of the time at my disposal for the preparation of this report—between the meeting of the Second Committee, at which we had the pleasure of listening to Dr. Zimmerman's speech, and the present meeting—I should really have been unable to complete the report had I not received extremely valuable assistance from the Secretariat of the League, for which I wish to express my great gratitude.

M. Ador then read the report (Annex 4, A. 62, 1923), and concluded as follows:—

The original intention of the Committee was that gratitude should be expressed, in particular, to Mgr. Seipel, Chancellor of Austria, who has identified himself to an exceptional degree with this work of reconstruction. On reflection, however, it seemed more correct, in a resolution submitted to the Assembly, to express gratitude to the Austrian Government as a whole, though I need hardly say that this in no way implies that the Committee does not fully appreciate the work done by Mgr. Seipel. (*Applause.*)

The President :

Translation: Gentlemen—As the text of M. Ador's speech has already been distributed in English, I think there is no need to have it interpreted. (*Assent.*)

M. Mensdorff-Pouilly-Dietrichstein, delegate of Austria, will address the Assembly.

M. Mensdorff-Pouilly-Dietrichstein (Austria) :

Translation: Mr. President, ladies and gentlemen,— I ask your permission to say a few words on the most interesting and exhaustive report which M. Ador has just read to us.

In the first place, I must express my sincere thanks to the distinguished Rapporteur who, as Chairman of the Economic and Financial Commission, took a large part in the work of which he has given us an account.

I note with pleasure that M. Ador has been good enough to recognise the merit due to the Austrian Government for its share in the work of reconstruction with which we are concerned to-day.

The Austrian Chancellor, Mgr. Seipel, was exceedingly anxious to come here himself and to express in this Assembly, on behalf of Austria and the Austrian Government, his feeling of deep gratitude towards the League of Nations, its organisations, its experts, its technical committees, and, in short, all those who have assisted in the work of the economic reconstruction of our country.

The Chancellor would certainly not have wished to pass over in silence the very great part taken by the Commissioner-General appointed by the League of Nations in contributing to the success of a task which was complicated and at times arduous, and in which he has effectively collaborated throughout the past year.

The name of Dr. Zimmerman is indissolubly bound up with the financial and economic reconstruction of our country. I hope that it is not too late to-day for me to pay a public tribute to the masterly manner in which he has carried out the mission with which he was entrusted by the League of Nations.

For reasons of internal politics connected with the approach of the elections, which prevent him leaving Vienna at the moment, Mgr. Seipel has been obliged to deny himself the satisfaction of coming to Geneva and of telling you in person what the feelings of his Government are. He has done me the honour of deputing this task to me. I am proud to be able to carry out this mission and to offer to you his most sincere thanks, and to express his keen regret that he is unable to be present himself.

For my own part, I wish to add that I deeply deplore his absence, for I should have wished that the Austrian Federal Chancellor could himself—with his great eloquence, and with the authority with which he is invested, both personally and officially, as head of the Government—have expressed in this place his feelings of deep gratitude.

Gentlemen, at the last meeting of the third Assembly, after a moving and eloquent speech by the Chairman of the Austrian Committee of the Council, the distinguished British statesman, Lord Balfour, whose absence we all regret to-day, I had the honour to declare that Austria would, on her side, carry out the programme which she had undertaken.

We have seen to-day from the reports of M. Ador and Dr. Zimmerman—and I note the fact with pleasure—that the most competent critics do us the justice of recognising that we have not failed in our promise. We are firmly resolved to persevere in this path.

I am authorised to inform you that the Federal Government, in close union with the Austrian people, will continue to direct all its efforts and all its energies towards the work of reconstruction, and to carry out, in a manner which will give satisfaction to all parties, the restoration and financial re-establishment of our country, in accordance with the programme and the intentions of the League of Nations.

The Government does not indeed disguise from itself the fact that it has yet to overcome great and varied difficulties, but Austria is determined to bring the work of reconstruction to a successful issue, and she will not fail to do so.

In the report of the Commissioner-General you will find examples and proofs of the courage and

perseverance with which the Austrian nation has supported the Government in its difficult task. There have naturally been moments—there still are, and there still will be moments—of great difficulty, and burdens which are far from easy to bear. It was, for example, no light matter to reduce the number of officials and employees as drastically as was required. The results achieved, however, have been extremely satisfactory. The signs of improvement are reassuring; ground is being gained; the patient (if you still allow the expression) is on the road to recovery. The deficit, for instance, is below the amount estimated at the time of the issue of the loan. Unemployment has diminished since February by more than half, and—a fact which is perhaps the most encouraging of all—the deposits in the banks and savings-banks have increased, I understand, by 500 per cent. within three months. These, it seems to me, are symptoms and sure proofs of the revival of confidence. The Austrian population is showing signs of a return to the spirit of thrift and industry.

In the darkest moments of the crisis our people yielded to despair. This was one of the most serious dangers which threatened us—one which might have had serious consequences, even for Europe. But I believe that this danger has now been successfully overcome, and we may congratulate ourselves on the fact that the sound and excellent qualities of our people have not failed them, and that through all the trials and vicissitudes which we have had to bear, these qualities have proved triumphant. It is the League of Nations that has laid the foundations of this confidence which we have seen restored both abroad and at home, and which, we may congratulate ourselves, is now spreading and growing in strength among all classes of the population.

We beg the League of Nations—and in this I am expressing the views of my Government—to continue to give us its valuable support. We hope that we may more especially count upon your aid in our endeavours to re-establish and consolidate our economic relations with foreign countries. The primary importance of this will assuredly be acknowledged by everyone who is interested in this work.

The crowning achievement and success of the work undertaken by the League on behalf of Austria will ever be a glorious chapter in the history of the League, while the history of Austria will ever contain a chapter devoted to her gratitude to the League of Nations. When, therefore, I tell you, with feelings of deep emotion, of the unbounded satisfaction that we feel when we look back upon the road which we have travelled, I do so from two points of view.

Two years ago, before the Austrian relief scheme had even been outlined, I ventured to plead our cause from this platform. I was even bold enough to place before you the argument that effective support leading to tangible results would perhaps contribute more to the popularity and prestige of the League than a hundred resolutions, be they ever so nobly conceived.

Do not imagine that even now I am labouring under any illusions. I am fully aware that we still have many difficulties to overcome; we have not reached the end of our troubles or of our work, but I nevertheless take leave to thank you most warmly, on behalf of my Government, for what has been done by the Assembly and by the League of Nations. As an Austrian, I desire to tell you how deep is my gratification at the results which have already been achieved.

As a humble member of the Assembly of the League of Nations, and as an enthusiastic and convinced supporter from the outset of the lofty principles which govern the League, I desire to congratulate the League—and all members present at this Assembly must also congratulate it—upon having clearly shown the world, notwithstanding all that scepticism or ridicule may say, that when it undertook to put into effect a scheme which was founded on common sense and reason, it was in a position to carry it out with success, and to

obtain practical results, by adhering to the policy which it had already adopted, and by drawing inspiration from the great principles of humanity and magnanimity which assuredly will ever form the unshakable foundations on which the League of Nations is based. (*Loud applause.*)

The President :

Translation: Sir Henry Strakosch, delegate of South Africa, will address the Assembly.

Sir Henry Strakosch (South Africa).—Mr. President and honourable delegates—No one who has had the advantage of listening to the eloquent statement presented by Count Mensdorff, the First delegate of Austria, can fail to be deeply impressed by the dramatic contrast of that statement to the conditions obtaining in Austria only a year ago. Mgr. Seipel, the eminent Chancellor of Austria, then presented to the Council, as you will remember, a touching account of the desperate plight in which his country found herself, and appealed, in moving terms, to the League, and to the Members composing it, for assistance to save her from utter destitution and chaos. To-day we have the gratification of knowing that, through the intervention of the League of Nations, Austria has not only been spared the cruel fate which then threatened her, but, struggling valiantly, is now on the high-road to recovery, and in sight of that ordered condition of things which is indispensable to the well-being and contentment of her people.

The Secretary-General's report, presented to this Assembly on the work of the Council, sets out tersely the plan of reconstruction and the various steps taken to carry it into execution. No one, I venture to suggest, will be able to discover in the plan anything which is startlingly novel. Divested of its technicalities, it is a simple, straightforward scheme which, by very ordinary methods, aims at establishing ordered conditions politically, economically and financially. Its methods are those applied in private life in somewhat analogous circumstances. It aims at establishing, by fair dealings, cordial relations with one's neighbours, and, generally, at adjusting expenditure to income mainly by avoiding waste.

But, while the elements from which the plan has been built up are certainly simple, the work of co-ordinating them so as to produce a comprehensive and well-balanced whole has presented problems of great complexity. M. Ador has referred to this aspect of the matter with his usual lucidity. I may, perhaps, be permitted to say that I fully agree with his remarks.

No one, I venture to say, who has had the advantage of being associated with the work could have failed to have come to the conclusion that by no other agency but that of the League of Nations would it have been possible to secure agreement to the plan from the many quarters which were directly concerned in it, in sufficient time to be of value. One could not fail to be deeply impressed by the smoothness, efficiency and speed with which the whole machinery of the League worked.

Wherein lies the secret of the almost magic success which has attended this plan of reform, and what distinguishes it from the many attempts at restoration tried by Austria and others that have failed?

The distinguishing feature of the League's plan unquestionably is its comprehensiveness, the thoroughness with which it has been elaborated in all its details, and the spirit of co-operation by which it was inspired and is being carried through under the ægis of the League. Half-measures, in the form of piecemeal assistance, are worse than useless as a measure towards real restoration. They have their justification only if looked upon purely in the light of charity. His Excellency Viscount Ishii, in his opening speech, told us that no less than 25 millions sterling of public money

had been poured into Austria, without, however, achieving anything in the matter of restoration.

The League's plan of reform, on the other hand, involves a real expenditure, during the two years in which budgetary equilibrium is to be restored, of an amount which will certainly not exceed the above figure. But that expenditure is of a wholly different character. By means of it Austria is enabled to carry through the measures of reform which are needed to re-establish ordered economic conditions, and so to furnish the wherewithal by which to repay the sum advanced by her creditors.

While Austria has made remarkable progress in the short period in which the plan of reform has been applied, she has yet a long way to go to accomplish her self-imposed task, but, having already achieved so much, I think we may have every confidence that, under the wise lead of her great Chancellor, Mgr. Seipel, and with the advice of Dr. Zimmerman, the League's Commissioner-General, she will be finally successful.

I should point out, however, that this does not depend solely upon the efforts of Austria herself; she requires the friendly co-operation especially of those countries with which her economic life is particularly and closely bound up. In a world constituted as this world is, no country can live—much less prosper—in isolation. Only a country in the most primitive state of civilisation can boast of being self-sufficient. It is therefore earnestly to be hoped that the barriers to international trade, which still impede as free an intercourse as would be desirable, may be speedily removed. Progress has already been made in this regard during the last year or so, but much still remains to be done.

If, as we all hope, Austria finally succeeds, we shall indeed owe her a debt of gratitude, for will it not be mainly due to her loyal co-operation in carrying through the League's plan that the finest practical demonstration will be furnished to the entire world of the immense value of international co-operation? The final success of the plan is of wide significance in a world which bristles with problems of a similar character awaiting urgent solution. But we need not wait for final success—that is sufficiently in sight—to take stock of the situation, and to learn from the unique experience already gained.

What, then, has this experience demonstrated? It would lead too far if I were to attempt to deal with the subject in all its technical details, but I may, perhaps, be permitted to indicate, on very broad lines, what I conceive to be the lesson to be learned from the Austrian achievement, and its significance in relation to the general question of the restoration of Europe. Broadly, it has afforded proof that, given an assurance of internal and external peace and ordered financial conditions, the internal economy of a country can be made to function satisfactorily, even if that country has to go through a difficult process of adjusting itself to entirely new political conditions. I cannot think of a more significant example in this regard than the case of Austria—probably the most un-self-supporting fraction of the great economic unit of which it formed part before the break-up of the old Austro-Hungarian Monarchy.

The pronouncements of the Brussels and Genoa Conferences have apparently so far failed to destroy many of the fallacies as to the origin of currency depreciation, and the remedies to be applied to it. We get daily evidence, in the many and varied exchange regulations which make their appearance, to show that they still persist. The ocular demonstration given by Austria should kill these fallacious notions once and for all. It has shown, on the one hand, that measures of exchange-control, however ingenious—and that of Austria certainly was not deficient in this respect—are, in the words of the resolutions of the Conferences of Brussels and Genoa, "futile and mischievous";

and, on the other hand, that the mere determination of a country to live at peace with its neighbours, and to adjust its expenditure to its means, produces stability by restoring confidence.

Austria has shown us, on the one hand, the evils and repercussions of inflation, and their vicious effect on the economic life of a country and its social organism; and, on the other hand, the almost magical effect of her resolve definitely and completely to stop inflation. And all this within the short space of a few months. She has demonstrated that the elusive thing, "confidence," cannot be commanded, but must be deserved, and that, once acquired, it becomes the most wonderful healer. Austria, utterly destitute and unable to secure financial assistance of any kind, internally or externally, in August of last year, has been able to finance her swollen budget out of her own resources well into this year.

The Austrian experiment has also demonstrated that, while foreign credits are undoubtedly necessary to re-establish ordered conditions in a country in her disorganised state, such credits certainly do not constitute the major feature of the plan of reconstruction. The really essential and fundamental part of it is the restoration of confidence—that is, the assurance of peace internally and externally, and the achievement, within a reasonably short period, of budgetary equilibrium.

Once confidence has taken root on these points, the question of securing external as well as internal credits becomes a relatively easy matter. The overwhelming success of the Austrian loan operations in all the great financial centres of the world is an eloquent testimony. But that success signifies more. It clearly indicates that the world is willing—nay, eager—to help forward any scheme of reconstruction, provided it is built up on sound lines, and offers the assurance that it will be carried through faithfully.

I have no doubt that, in subscribing to a loan of this character, the lender is not mainly moved by the attractiveness of the return he gets on his money, but by a much wider consideration. He realises that the prosperity of his country—and, with it, his own prosperity—depends upon the restoration of ordered economic conditions in the rest of the world.

He appreciates the economic interdependence of the world, and that the curtailment of production in one country necessarily entails reduced production in other countries.

The lessened production in Austria, connoting as it did a reduction in the standard of living in that country, was felt, not merely by her immediate neighbours, but in every corner of the globe. By us in South Africa, for example—though only to a minor extent—because of the lessened demand for the raw materials we produce. But that lessened demand curtails our own purchasing power, and so in turn reacts upon those other countries in which we should otherwise have exercised it in buying from them the materials, plant and equipment we ourselves need, but do not produce.

The repercussions move in a vicious circle, and if you consider the extent to which production is curtailed

all over Europe through the postponement of real reconstruction, it is easy to appreciate how grave they are. No country can escape them, for none are self-sufficient. Every country in the world, therefore, is deeply interested to see this state of things remedied, and at the earliest possible moment. Every day of postponement aggravates the situation. Let us realise that, in postponing restoration, the world is drawing heavily on its capital resources—not merely on its physical capital, but, what is much graver, it is drawing on its most precious asset, the well-being and the efficiency, moral and physical, of the population. That may not be immediately apparent in countries which have not reached the desperate state to which Austria was reduced last year, a state which has since been almost surpassed by a number of other countries in Europe. The very complexity of our economic organisation obscures the picture, but do not let us deceive ourselves, let us plainly realise this relentless truth.

I have said that the world is eager to help reconstruction, but we should appreciate that the possibility of helping is not a static thing. Loans can be granted only out of savings, that is, out of surplus production. But, as I have tried to show, the productive capacity of one country is closely bound up with that of the rest of the world. If, then, through a postponement of ordered economic conditions in the many stricken areas of Europe, the more fortunate—or, shall I say, the more prudent—countries of the world are compelled to curtail their own production, their power of saving, and therefore of helping others, is automatically reduced, and may finally disappear altogether. This aspect of the situation cannot be sufficiently emphasised. Let us therefore unite our forces, and press forward that work of reconstruction with all our might before it is too late. Do not let us allow petty differences to stand in the way, but let us work, whole-heartedly and without delay, for a policy of economic reason and reality.

The phenomenal progress of Austria on her way of recuperation points the direction clearly. It would, I submit, be criminal to throw away this precious experience, and to let the piece of machinery we have set up in the League of Nations lie idle and rust when it has already proved itself so efficient, and when the well-being and contentment of the population of the world is at stake. Our fathers built for us a wonderful economic machine, which has been instrumental in steadily raising the standard of well-being of the people. That machine we have damaged during the war. Do not let posterity say of us that we have used the peace to smash it completely. (*Applause.*)

The President :

Translation: It is impossible to conclude the debate on Austria to-day, and, as it is now late, I propose that we adjourn, and that the next meeting be fixed for 10.30 a.m. to-morrow. (*Assent.*)

The Assembly rose at 1 p.m.

SIXTH PLENARY MEETING .
Wednesday, September 12th, 1923, at 10.30 a.m.

President : M. DE LA TORRIENTE Y PERAZA.

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25.—SUBSTITUTE DELEGATE FOR DENMARK:
APPOINTMENT OF Mlle. FORCHHAMMER.

The President :

Translation: I have received from the Chairman of the Fifth Committee a letter informing me that Mlle. Henni Forchhammer has been appointed as Rapporteur to the Assembly on the question of "The Protection of Women and Children in the Near East," and that the Danish delegation has therefore, in accordance with Rule 6 of the Rules of Procedure of the Assembly, appointed Mlle. Forchhammer as substitute-delegate, in order that she may in this capacity submit her report to the Assembly.

(This communication was duly noted.)

26.—RECONSTRUCTION OF AUSTRIA: REPORT OF SECOND COMMITTEE: CONTINUATION OF THE DISCUSSION: RESOLUTION.

The President :

Translation: In accordance with the Agenda, we will now continue the discussion on the report of the Second Committee regarding the reconstruction of Austria (Annex 4; A. 62, 1923).

The delegate of Poland will address the Assembly.

M. Strasburger (Poland) :

Translation: Mr. President, ladies and gentlemen—After hearing the full and interesting report of M. Ador, the distinguished delegate of Switzerland, and the speech of Sir Henry Strakosch, the eminent representative of South Africa, I should like to add a few remarks on behalf of Poland, a country whose geographical position gives her a special interest in the solution of this important question.

The remarkable work undertaken and carried out with such competence and energy by the League of Nations is of cardinal importance, not only for Austria herself, but also because, while promoting the production of and exportation from that country, it contributes to the economic reconstruction of the whole of Central Europe, of which Austria undoubtedly constitutes an important factor, and, indeed, to the development of world trade in general.

Poland, though not immediately adjacent to Austria, has long been in close industrial and commercial relations with her. Austria is, moreover, one of the principal transit countries for the trade between Poland and Western Europe.

For the reasons which I have set forth, it is evident that Poland has a very special interest in the problem of Austrian reconstruction. The success of the work undertaken for this purpose by the League of Nations has proved the confidence which is placed by the whole world in that body. On behalf of Poland, who has herself great financial difficulties to overcome, and who is anxious to see a revival of economic life in Central Europe, I desire to express our congratulations and our most sincere good wishes to the Austrian Government. The excellent relations which already existed between us were rendered still closer by the signature of the Treaty of Commerce, and will, no doubt, be further strengthened by the forthcoming visit of Mgr. Seipel to Warsaw.

In conclusion, I wish to congratulate all the organisations of the League of Nations which have co-operated so effectively in this great economic achievement. (*Applause.*)

The President :

Translation: M. Hanotaux will address the Assembly.

(M. Hanotaux mounted the platform amidst the applause of the Assembly.)

M. Hanotaux (France) :

Translation: Mr. President, ladies and gentlemen—As one of the members of the Council who took part in the work of the Committee which, under the chairmanship of Lord Balfour, drew up the general lines of the scheme of Austrian financial reconstruction, I think I may venture to add a few words to the speeches to which you have already listened.

There is no need for me to dwell upon the successful results which have already been referred to here ;

they constitute an extraordinary achievement, and, having regard to the rapidity with which they have been attained, they may perhaps be considered as unique in history.

It is hardly two years since there came before us the representatives of the Austrian people who were then in great distress. We were deeply stirred by a feeling of solidarity and brotherhood among peoples—the feeling which animates the whole League of Nations.

Setting aside the terrible record of the immediate past, the representatives of the four Powers set to work under the auspices of the Council and of the Assembly. They drew up the practical and well-defined programme with which you are familiar, and in so doing—although it was as yet only a draft scheme—they revived in the hearts of the Austrian people that most powerful stimulus to human activity—the spirit of hope.

The key to all the subsequent success may be found in the fact that hope had revived in the breasts of the Austrian people; a spirit of self-confidence was restored. The people once more took up their task; they set out on the path along which they need now only continue—the path which begins with the loyal carrying out of the treaties, to be followed by the loyal fulfilment of all their undertakings.

These results are summed up in Dr. Zimmerman's report.

The loan has been a complete success, and has been eagerly taken up in all the markets of the world. Both the financial and the monetary position are thoroughly sound. The crown has been definitely stabilised, and, at a time when the cost of living is generally on the increase, there is scarcely a sign of this upward tendency in Austria.

The economic situation is extremely satisfactory. Work has been resumed. Treaties of commerce are in course of active negotiation, and great progress is being made in regard to the railway system and industrial development.

There are, of course, still a few shadows in this brilliant picture. A work of this kind cannot be accomplished in a single day. I may instance the comparatively slow reduction of the number of officials, whose salaries swell the budget so considerably.

The question of State interference with public activities is in all countries one of extreme delicacy. Austria is not the only sufferer in this respect, but she is undertaking the work of reduction with an energy which it is our duty to encourage with equal determination.

I will not, however, continue in this somewhat depressing vein, but will pass on to two passages which appear to me to be perhaps the most noteworthy in Dr. Zimmerman's sixth report (page 1107 of the League's *Official Journal* for September, 1923):—

“The money market not only received foreign currency in May from the Austrian Government, which realised a portion of the foreign credits placed at its disposal, but also received large quantities from the public; many Austrians, regaining confidence, transferred their foreign investments to the country and converted them into crowns; foreigners invested capital in Austria, and the supply of foreign currency was greater than the market required.”

Again, on page 1109, we read:—

“The prodigious increase in the gold yield of the taxes would appear fantastic if it had not been realised.”

You will thus see what rapid progress has been made.

“The stabilisation of the crown itself is not brought about wholly by the sale at the present time of the yield of foreign loans, as is sometimes imagined abroad. I have pointed out that, even without the foreign currency brought into the market by the action of the State in selling the yield of loans in order to cover the deficit, the foreign exchange market would be active

to-day, and the balance of payments would not therefore depress Austrian currency.”

These appear to me to be points of capital importance, which may be regarded as decisive indications of the new situation in Austria.

Ladies and gentlemen, these are the most striking signs of the great and happy change which has taken place, signs which are an augury of the whole position, if I may venture to say so; Austria is not merely recovering, she has already recovered.

This recovery, which both nations and individuals are able to make in great crises, creates an inner force productive of the highest social virtues—courage, perseverance, constancy in word and deed—which are the offspring of justice and sincerity.

A great effort was indeed needed to enter upon and carry out this task, and we certainly owe a debt of gratitude to the gifted authors of the general plan of financial reconstruction. We owe a debt also to our distinguished Commissioner-General, Dr. Zimmerman, whose firmness and pliancy have proved invaluable at this difficult time. We must also thank the various departments of the League of Nations, and the Committee of Control for the silent work they have done, and the banks throughout the world—not forgetting America—and others, who have furnished the money and have shown that they trust Austria.

We must not forget, too, the statesmen in Austria, who have proved veritable ministers of good. The Second Committee has already expressed in its report its deep gratitude to the Government and to the Chancellor, Mgr. Seipel. It is he who has borne the heat and the burden of the day, and he has won for himself a place in history.

The Austrian people have settled down to the task before them, and have steadily followed the path which has been opened to them. The goal is in sight and will soon be reached.

Straightforward, calm, persevering, undaunted, the democracy of Austria has taken stock of its resources, and, gaining courage thereby, has contributed to the re-establishment of order in Europe.

This was the aim which the League of Nations set itself to achieve, and every day it thus attains one or other of the objects for which it was founded. Thanks to its efforts, a nation has been restored. Thanks to its efforts, tottering Europe is helped to rise. Thanks to its efforts, one of the greatest achievements of mankind is on the way to completion. We may well congratulate ourselves here before the whole world. (*Applause.*)

(*On returning to his seat, M. Hanotaux was congratulated by many of his colleagues.*)

The President :

Translation: Lord Robert Cecil, first delegate of the British Empire, will address the Assembly.

(*Lord Robert Cecil mounted the platform amidst the applause of the Assembly.*)

Lord Robert Cecil (British Empire).—Mr. President, ladies and gentlemen—I do not know that I should have risen to address you on this subject except for one circumstance. I find myself in the heartiest agreement with every word spoken by M. Hanotaux in his admirable and eloquent address, and I should have been content to leave the case in his hands but for the fact that I may perhaps regard myself as in some degree the representative, the unworthy representative, of that statesman who was the Chairman of the Austrian Committee of the Council, and to whom, I think we all admit, a very large part of the success of this operation is due. I mean Lord Balfour. (*Applause.*)

I wish to thank very warmly the representative of Austria for his reference to my distinguished colleague. I remember very well the speech that he made last year, explaining to the Assembly that the Council and the Austrian Committee had been able to devise a scheme for the reconstruction of Austria, and that he warned the Austrian people that this scheme of reconstruction was bound to produce some hardship, some unemployment, and some difficulties for them, and that it lay with them to decide whether or not they would take advantage of this opportunity for their revivification.

I think that perhaps the most notable of all the notable circumstances of this operation has been the splendid spirit which the Austrian people have shown; their readiness—in their own ultimate interest no doubt, but also surely in the interest of the peace and happiness of the world—to endure the difficulties and to go through to the end with the trial which this scheme has necessarily brought in its train, and their triumphant endurance which has made its success possible.

But not only are we to congratulate the Austrian people, but, as M. Hanotaux has so eloquently said, we are to congratulate the League of Nations itself. Those who have read or who heard the admirable report of M. Ador will recognise the immense difficulty and complexity of the work upon which the League has been engaged, difficulties diplomatic, economic and administrative, almost unparalleled in like circumstances. I think everyone will have been struck, apart from the actual success which has been achieved, with two elements of that success, namely, the great rapidity of the action, particularly the diplomatic action which was taken last year, and the extraordinary cheapness of the operation so far as the League was concerned. I notice that M. Ador points to the fact that the whole operation, everything included, has only cost £7,000. I think that this is a most marvellous tribute to the efficiency of the organisation of the League, and a great warning to those who, by indiscriminate economy, might hamper or hinder its work.

I agree most fully with what M. Ador so well said, that the League alone could have done this work. I shall even venture, if I may, to quote one sentence from his report. He says, "I have no hesitation in saying that the League of Nations alone could elaborate a coherent plan of this kind, which would fully meet the requirements of the situation, and the League alone could put it into force and carry it out", and he proceeds to describe the elaborations which were necessary and the difficulties which were encountered.

I am not sure that he emphasises quite as much as, in my judgment, it might be emphasised, one particular aspect of the League's competence for this work, namely, that the League, from its very nature, excites no international jealousy. There is no hesitation, as there might be with respect to any other international body, in entrusting the League with work of this kind, because, with one or two unfortunate exceptions, all the countries of the world form part of the League, and, therefore, there can be no question of the jealousy, as between one nation and another, in any activity which the League may undertake.

I believe that the exceptional position of the League has been of essential value in carrying this work to its conclusion, and I believe that it will be of essential value in carrying even more difficult, more elaborate, and more far-reaching works of the same kind to a satisfactory conclusion in the future.

There is one other aspect of the matter on which I would like to say a word before I sit down. I think this work has a special importance, because it shows that the work of the League is not merely negative. No doubt it is the duty of the League to keep the peace of the world; that is its first duty, and, in carrying out that duty, it has to deal with and dispose of disputes and difficulties between nations in the way we know is provided by the Articles of the Covenant. But that

work, vitally important as it is, will never be accomplished successfully unless it has behind it the public opinion of mankind, unless we can rely upon some degree of change of spirit towards these questions, unless we can bring about that which was so admirably described by M. Noblemaire two years ago from this tribune as the moral disarmament of the world. (*Applause.*)

That work can surely be best achieved, not by coercion, not by threats, but by the encouragement of great constructive operations of international co-operation such as we see in this instance, and it is for this reason, perhaps, more than for any other, that I welcome this work which has been undertaken, and congratulate the League most heartily and profoundly upon the very remarkable success which has attended its Austrian operation. (*Applause.*)

The President :

Translation: M. Scialoja, delegate of Italy, will address the Assembly.

(*M. Scialoja mounted the platform amidst the applause of the Assembly.*)

M. Scialoja (Italy) :

Translation: Ladies and gentlemen—When the last Assembly was sitting, conditions in Austria were extremely grave—so much so that the recovery of the country seemed impossible, and the problem incapable of solution. On the one hand Austria was unable to re-establish herself by her own efforts, and on the other a very proper national pride forbade her to allow direct intervention on the part of any individual State.

Italy and her Allies, together with several other Powers, then sacrificed their rights under the treaties, and so enabled the League of Nations to come to Austria's aid with its credit and its scheme of reform—and this without in any way prejudicing the dignity of a country which had played a great part in the history of the world, for the League is in fact nothing but the States of which it is composed.

I need hardly remind you that confidence in the success of an experiment on so large a scale was not universal, but events have happily proved that our hopes were well founded, for the success of our undertaking is unquestioned to-day.

M. Ador's excellent summary has shown that the sacrifices so freely made by Italy and other guarantor States have not been unproductive. I need hardly add that the wisdom and firmness of Dr. Zimmerman, the Commissioner-General, the foresight and prudence of the Committee of Control, and the self-sacrifice of the Austrian Government and people, have contributed materially to the solution of several difficulties which last year appeared insuperable.

Energetic reforms in the administration, rigorous economy, and a considerable increase in taxation have improved the situation of the Treasury and at the same time made social and economic conditions more stable. A proof of this may be seen in the rate of exchange. The stabilisation of the crown resulting from this improvement will, in its turn, be the cause of further progress in the economic and social life of Austria.

Ladies and gentlemen, the League of Nations may justly lay claim to fame for the reconstruction of Austria. May I add that Italy, which has just emerged from the horrors of the war, rejoices and glories in having been able to contribute to the recovery of her old enemy, with whom she hopes to live in the future on the most cordial terms?

This successful experiment is one of the first achievements of the sentiment of international co-operation which is the corner-stone of the League of Nations.

It justifies us in entertaining the greatest hopes for the action of the League in assisting the moral and material progress of the world. (*Applause.*)

The President :

Translation: Count de Gimeno, first delegate of Spain, will address the Assembly.

Count de Gimeno (Spain) :

Translation: I shall only say a few words, as I do not wish to abuse the good nature of my audience.

Throughout history Austria and Spain have been closely united, and it would be strange indeed if the Spanish delegation did not on this occasion join in these words of appreciation for sorely-tried Austria.

Had the League of Nations given no other proof of its capacity for the solution of grave and difficult problems, this work of economic reconstruction in Austria would alone have sufficed to demonstrate its great utility, and Spain wishes to congratulate it publicly on this achievement. (*Applause.*)

The President :

Translation: The delegate of the Kingdom of the Serbs, Croats and Slovenes will address the Assembly.

M. Avramovitch (Kingdom of the Serbs, Croats and Slovenes) :

Translation: Mr. President, ladies and gentlemen—The events of yesterday and to-day are a great satisfaction to all friends of this great institution, the League of Nations, and especially to all States taking part in this Assembly.

It was a happy thought of the President and the General Committee to place the discussion of this question—the economic and financial reconstruction of Austria—on the Agenda of the Assembly. The positive and constructive results obtained are a proof that the League of Nations is not, as some people think—even if they dare not say so openly—a purely theoretical and academic institution.

I should like to say a few words on the beginnings of the economic and financial reconstruction of Austria. Two years ago we despaired of its success. To aid Austria seemed impossible; her sufferings had been incalculable, and her losses such as to threaten consequences which none could foresee. At that time we all agreed that there were three factors which could help in the reconstruction of Austria—a process which was not only in the interests of Austria herself, but also in those of her neighbours and, indeed, of the whole world. For, as is universally held, the interests of all nations are interdependent, both morally and materially,

These three factors were: firstly, the Austrian Government itself; secondly, the prestige of the League of Nations; and thirdly, the weight of public opinion.

To-day we may say that each of these three factors has played its part with conspicuous success.

The Austrian Government has shown great wisdom and a firm resolve to succeed.

The delegate for South Africa, Sir Henry Strakosch, gave us, I think, the best definition of this idea when he said yesterday that a country which is determined to live in peace and to balance its budget "from its own resources" cannot but succeed. Therein lies the secret of the recovery of Austria and the success of the Austrian Government. Its attitude has been scrupulously correct, not only towards its neighbours, but also towards all the other Members of the League of Nations who have loyally assisted it.

As to the influence of the second factor—the League of Nations—it could not, I think, be more happily

interpreted than in the report of the delegate of Switzerland, M. Ador, and in the eloquent speeches of Lord Robert Cecil, M. Hanotaux and M. Scialoja.

I should like, however, to emphasise the fact that the third factor—public opinion—has also played an important part.

We may hope that the three factors I have mentioned will be equally effective in the future in every sphere of activity with which the League of Nations is connected.

I should now like to thank and to congratulate M. Ador, the Rapporteur, whose appointment I welcomed two years ago when he was made Rapporteur on the question of the reconstruction of Austria and on the economic questions with which he is especially fitted to deal. I remarked at the time that M. Ador, who has been President of the International Red Cross, and who has rendered such signal service to mankind in the campaign against the scourge of disease and epidemics, could not but be successful in the task entrusted to him of combating the scourge of economic and financial ills.

It must, I am sure, be a supreme satisfaction to him that, as Rapporteur, he can now announce to the Assembly that the hope which he then expressed has been fulfilled. (*Applause.*)

The President :

Translation: Does anyone wish to speak? If not, the discussion is closed.

Before asking the Assembly to vote on the resolution proposed by M. Ador, let me remind you of its contents:—

The Assembly,

Having examined the report presented to it by the Economic and Financial Organisation with regard to the work of reconstruction in Austria, and the account of the same work included in the general report of the Council to the Assembly which contains a summary of the information furnished in the monthly reports of the Commissioner-General:

1. *Notes with great satisfaction the success of the most notable effort of economic reconstruction since the war;*

Desires to emphasise that it was only by means of a scheme based on international co-operation through the League that this result could be obtained—a scheme comprehensive in its scope, worked out in full technical detail by the League's experts and enforced by control exercised through a high officer of the League;

2. *Notes the remarkable effect of re-established confidence as illustrated by the support for the currency afforded by the returning financial resources of Austrians themselves, by the large increase of savings and by the establishment of the economic life of the country on a sounder and more stable basis;*

3. *Notes with satisfaction the way in which both the technical organisations and the rest of the mechanism of the League have proved sufficiently adaptable and efficient for a task of such magnitude and complexity. It notes, too, that the disinterested efforts of those who have collaborated through the technical organisations have reduced the expenses of the League itself to the smallest dimensions;*

4. *Emphasises further that the reforms already effected in Austria and those which may still be expected, combined with increased revenue, are such as to afford a reasonable belief that the task undertaken last year will be carried through with complete success. It notes that the increase in the revenues given as security for the service of the loan justifies the hope that it will not be necessary to appeal to the Guaranteeing Powers which, by their own credit, have supported the credit of Austria;*

5. *Desires to express to the Austrian Government its appreciation of the energy with which it has followed*

the path of reform and of the courage with which the Austrian people have accepted the necessary sacrifices, and have thus made an invaluable contribution to the economic restoration of the world. It congratulates the Austrian Government on the rapid progress in the recovery of the country and it expresses the confident hope that Austria will continue without relaxation the administrative reforms which are still necessary to set the life of the country on a permanently sound economic and financial basis and to place her in the position of self-supporting prosperity and secure independence.

It desires at the same time to express its warm appreciation of the notable work of the Commissioner-General, Dr. Zimmerman, whose ability, impartiality and devotion have so greatly assisted Austria.

It desires also to express its thanks for their work to the Secretariat of the League of Nations, to the technical organisations, in particular to the Financial Committee, and to all those who in many countries have assisted in conducting the financial operations to a successful issue.

(The resolution was put to the vote and unanimously adopted.)

27.—REPORT ON WORK OF COUNCIL AND SECRETARIAT.

The President :

Translation: Before we begin the discussion on the report by the Council (Annexes 5 and 5a, A. 10 and A. 10 (A). 1923), Viscount Ishii, President of the Council, will make a communication to the Assembly.

Viscount Ishii (Japan) :

Translation: The Assembly is about to begin the general discussion of the report on the work of the Council. I would, however, ask leave first to make a brief statement.

The dispute between Italy and Greece is still under examination by the Council; important negotiations are also in progress which it is hoped will lead to a satisfactory conclusion.

I feel sure that in view of these facts delegates to the Assembly will desire to refrain for the moment from any discussion of this important matter.

The President :

Translation: Jonkheer Loudon, delegate of the Netherlands, will address the Assembly.

Jonkheer Loudon (Netherlands) :

Translation: Ladies and gentlemen—I have listened to Viscount Ishii's statement with very great interest.

I have no observations to offer on this matter. Nevertheless, I believe that I shall be voicing the opinion of most of my colleagues in expressing the hope that the Council will make another communication to us before the end of our session.

The President :

Translation: M. Edwards, delegate of Chile, will address the Assembly.

(M. Edwards mounted the platform amidst the applause of the Assembly.)

M. Edwards (Chile) :

Translation: Ladies and gentlemen—The detailed account submitted by the Council in its report gives

a clear and striking idea of all the activities of the League of Nations during the year which has elapsed since the last Assembly.

In these days, owing to the pressure of events crowding pell-mell upon Europe, international opinion is constantly over-excited by the mood of the moment, which is invariably a nervous mood, sometimes apprehensive for the future, sometimes hopeful. In these circumstances it is difficult to induce the nations to focus their attention upon this important centre, where the greatest and most far-reaching development which has ever taken place in the organisation of international relations among the civilised races is progressing slowly, peacefully, it may be noiselessly, but none the less surely and steadily.

Amid the welter of almost inextricable problems which have been placed before the organisations of the League of Nations as a result of political chaos and of economic disorder, and through the weakening of morality and other human calamities, the Council points the way to a solution as soon as a solution becomes feasible and practicable; or I might say that it traces the outlines of, and defines the difficulties in connection with problems which are of such a nature or arise at such a moment as to render it impossible for the League to solve them, and which accordingly leave the League no opportunity of intervention except by way of conciliation or appeasement. Step by step the Council has succeeded in throwing light on the real meaning and exact scope of the somewhat vague and elastic stipulations of the Covenant. The chief usefulness and importance of these annual reports to the Assembly lies indeed in deducing what I might term the legal practice which the League is steadily establishing in the various questions within its jurisdiction.

The report submitted by the Council to the Fourth Assembly bears eloquent testimony to the vitality of the League, to its efficacy when it intervenes in problems of world-wide interest, to its indisputable utility as a centre of investigation, or of work which could not be carried out but for the League—work that is constantly salvaged by the League from the swift stream on which isolated ideas and conceptions are carried towards the dead waters of indifference.

As we pursue the pages of the report, we cannot do less than admit that the greatest success of the League since the last Assembly has been the financial and economic reconstruction of Austria. I do not intend to dwell on the question, for others, with greater authority and eloquence than I, have already dealt with it. You will, however, allow me to say that it is my belief that this great triumph, the restoration of the country in which the conflagration of 1914 broke out, is only the prelude to work of wider scope and larger results—I refer to the economic revival of the very heart of old Europe, stifled by the pernicious accumulation of paper money, owing to an unhealthy administrative and financial system which results from disorder and fear, and leaves some countries in what is *de facto* a state of war, though *de jure* they are at peace.

The brilliant and tangible success obtained by the League in connection with the financial reconstruction of Austria, which is set forth clearly and systematically in the Council's report, constitutes the best possible reply to the critics who are constantly asking what exactly are the practical achievements of the League which could justify its existence and the heavy expenditure entailed by its operations.

The reconstruction of Austria is a proof of the truly extraordinary possibilities latent in the League in the sphere of international co-operation, when these possibilities are sincerely and capably managed. It constitutes a lesson in disinterestedness which throws light upon the soul of the League.

Apart from this question, the report of the Council paints a full-length portrait of the very considerable work achieved by the League in the administration of

the territories entrusted to it by the Treaty of Versailles. It is my belief, gentlemen, that the main features of this new system of administration by international co-operation, are now taking shape. Here again, we have another lesson in disinterestedness—I might also add, another general success. The solution of the countless questions which, for example, had to be dealt with by the administration of the Free City of Danzig in order that the port of that city might be adapted to all the purposes for which it was designed by the nations signatory to the Treaty of Versailles, forms what may be termed a code of principles which it will be possible to apply in a number of similar cases in other countries both in Europe and throughout the world.

A perusal of the observations made in regard to the administration of the Saar Basin gives us a clear view both of the special features of the administration by international co-operation and of the advantages which this system offers in intricate cases such as that of the Saar. Here the economic existence of the territory depends entirely upon the mines, which, under the Treaty of Versailles, are designed to contribute to the reparations due to France for the invasion and devastation of that country, whereas the political life in the Saar is necessarily in the hands of a national population animated by other sentiments. Such has been the success of this system in the administration of the Saar that it may be affirmed that any other would perhaps have met with obstacles which might well have proved almost insurmountable.

As regards the technical organisations, I need not remind the Assembly of all the various and interesting details of the work carried out by the Economic Committee, the Financial Committee, and the Communications and Transit Organisation. I will merely point out that the coming Conference on Customs Formalities will be of the utmost importance, both for the Members of the League and for those States which have not yet given their adhesion to the Covenant.

The American Members of the League will, I think, be in a position to afford valuable assistance to the Conference. The question of Customs formalities is, indeed, one of those which was most successfully dealt with by the Pan-American Conference of Santiago. A Convention was signed by which the eighteen American States represented at the Conference entered into an undertaking regularly to exchange information regarding laws, decrees and regulations on the importation and exportation of goods, and on the sailings of vessels. Moreover, the Inter-American Supreme Commission was instructed to prepare a pamphlet, to be published in four languages, containing all Customs laws, decrees and regulations in force in the American countries.

You will allow me, gentlemen, to point out that from an economic point of view the Pan-American Santiago Conference has successfully dealt with problems which the League of Nations is endeavouring to solve. Let me first mention the Convention on Trade Marks; this will not merely remedy a situation which has hitherto given rise to endless inconvenience in America, but may also enable the League to obtain a practical result for the work now in progress with a view to protecting its Members against unfair competition.

I may also refer to the important resolutions taken by the Pan-American Conference concerning arbitration in regard to commercial contracts, and to the decision to ask the Inter-American Supreme Commission to examine the question of compulsory arbitration in disputes between merchants domiciled in different countries.

Further, the Conference decided to adopt the Brussels nomenclature of 1913 for the international statistics of the American countries.

Lastly, a Convention was signed establishing a certain degree of uniformity in bills of lading and other lading documents, and also in consular certificates.

Apart from the conclusions reached by the Pan-American Conference, the actual minutes and reports of the Fifth Committee of that Conference, which examined all the economic and financial questions on the agenda, are documents of great interest from the point of view of the work of the Financial and the Economic Committees of the League, and, above all, of the Conference; this Committee examined, for the American Continent, communications questions which are to be considered from the world point of view by the forthcoming general Conference on Communications and Transit.

As regards the question of public health, the work of the League of Nations during the past year has been based on lines very similar to those of the Pan-American Conference. At Santiago certain general principles were laid down governing the organisation and operation of the public health services in all the American States, and the foundations were laid for a maritime health code.

The Conference further decided that it would be desirable to unify legislation for controlling the production and manufacture of medicines and foodstuffs.

You cannot but recognise the importance of the work accomplished by the Santiago Conference in relation to the study and organisation of public health by the League of Nations, especially as regards the necessity for co-ordinating the efforts being made, sometimes without the requisite co-operation, by the various competent institutions in connection with these very serious questions, on which depend the improvement, and indeed the existence, of the human race.

The report of the Council further refers to the resolutions adopted by the Third Assembly in regard to the weighty question of the reduction of armaments, and, amongst others, those relating to the Pan-American Conference of Santiago, which, on the proposal of the Chilean Government, was called upon to deal with this question.

I have already given the third Committee a detailed account of the question of armaments in Latin America. I should like to add a few general remarks on this subject.

I can safely affirm that all the American States represented at Santiago approached the question with an earnest desire to reach a satisfactory definition of this problem as it exists in the New World, and to arrive at a concrete result.

Yet it has often been said that the Pan-American Santiago Conference failed, because it did not produce a convention containing a schedule of figures of naval and military armaments for each country, such as was drawn up at Washington.

I must ask whether such a course was possible. First of all, as I have already had the honour of pointing out to the Third Committee, it must not be forgotten that the problem of disarmament in America is entirely different from that in Europe: the armaments of the American States, as the figures show, are not proportionate to their territory, population, trade or resources. The armies of all American States are organised on a reduced scale.

I remember that, at the last plenary meeting of the Pan-American Santiago Conference, the first delegate of the Argentine Republic made the following statement, which was greeted with general applause: "In my country, for every teacher in the national schools there is only one soldier in barracks."

Hence, no American nation feels that its frontiers are constantly menaced by powerful armies ready to break the peace; still less have their territories to bear the heavy burdens of taxation imposed by an armed peace.

In these circumstances the Pan-American Conference had little to accomplish in this respect; I might indeed say that it had nothing to accomplish.

The problem, as it presented itself to the American Continent, was not, as in Europe, one of special urgency; it resolved itself merely into the question of discovering the means to prevent the competition of armaments from spreading to America. When the Chilean Government placed this question on the programme of the Pan-American Conference, it had in mind, not so much the reduction of armaments, as the possibility that they might increase in the future.

I should like to add that, as was stated two days ago by my colleague, the Brazilian delegate, the moral disarmament of the American countries is an unquestionable fact.

Apart from the United States of America—a Power with world-wide interests, which, moreover, has already settled the question of disarmament at the Washington Conference—seventeen of the twenty American Republics are in point of fact disarmed, and the three other States, though they have naval and military forces of considerable strength, have a policy which is essentially pacific.

Chile and Argentina have settled all their international disputes by means of arbitration. A few years ago certain frontier questions, which have since been settled by arbitration, seemed likely to lead to a conflict. Common sense and the bonds of brotherhood which linked these two peoples were, however, triumphant. On the highest summit of the Cordillera of the Andes, on the very frontier, among the eternal snows and the bold peaks which pierce the clouds and point to Heaven, the women of Argentina and Chile, in a moment of inspiration which expressed the whole tenderness and poetry of their souls, set up a statue of Christ to commemorate the happy end of the dispute, and the sacred image now stretches out its arms over the fertile and smiling lands which slope downwards to the two oceans, the Pacific and the Atlantic, thus blessing for all time the triumph of peace by arbitration. (*Unanimous and prolonged applause.*)

The pedestal of the monument bears the following inscription, which gives expression to an impressive and eternal thought: "May these mountains crumble sooner than become the scene of a war between brothers!" (*Renewed applause.*)

The great nation of Brazil has not only practised arbitration, but has embodied it as a principle in her Constitution, and made of it a pillar to support her greatness and her prestige.

Moral disarmament is therefore a reality throughout the continent of America. (*Applause.*)

As regards the Treaty of Mutual Guarantee which is at present under consideration by the Third Committee, I would like to remind the Assembly that the situation which this Covenant aims at establishing in Europe has for centuries been an actual fact in America. It is not based on a diplomatic document; its foundations are more firmly laid, and consist of the truly great tradition which proceeds from the political conscience of the American peoples, and has transformed into an inviolable principle the maintenance of the territorial integrity of all countries throughout the American continent.

As a result of these circumstances and these sentiments, it was possible at the Santiago Conference to make a broad declaration that the American States are all essentially pacific in spirit, and thus to exchange information freely and unreservedly regarding the naval and military armaments of each country.

Chile and Argentina were prepared to go to considerable lengths in the direction of the future limitation of naval and military armaments. Brazil, though in full agreement as to the end to be attained, had different views as to the methods to be adopted and the appropriate moment for their realisation. It is far from

impossible—it is indeed extremely probable—that complete agreement will be reached at an early date.

Meanwhile, all the States, without exception, which took part in the Conference condemned the competition in armaments in terms which allow of no doubt as to their sincerity. They all stated that there was no outstanding dispute between them, and they proclaimed their whole-hearted confidence in the efficacy of pacific methods to settle any difficulties which might arise.

All that I have said will serve to emphasise the fact that the Pan-American Santiago Conference was a very great success, even from the point of view of the question of armaments. But there is a further fact; the eighteen nations represented at the Santiago Conference signed a continental Convention with a view to the pacific settlement of any disputes which might arise between American States, by submitting to a Committee of Enquiry those questions which it might prove impossible to settle through diplomatic channels, or by referring them to arbitration, in accordance with existing treaties. Further, the eighteen nations undertook not to mobilise, not to concentrate troops on their frontiers, not to make preparations for war when once the question had been referred to the Committee of Enquiry, and until the Committee had drawn up a report, which was to be submitted within a year.

The Assembly will therefore allow me to state that this Convention, which is applicable to the whole continent, will constitute, as soon as it has been ratified—and there are reasons to hope that this will be done immediately—the most firmly founded collective treaty of guarantee which could possibly be conceived; and allow me to add that this is the most precious achievement of the Pan-American Santiago Conference. (*Applause.*)

In making the above observations I have insensibly strayed a little from the report by the Council which is the subject on the Agenda for discussion.

I believed, however, that the Assembly would forgive me for interpreting the rules governing our debates in a somewhat broad spirit. I hope my excuse may be found in the close resemblance which exists between your work and that of the Pan-American Union, and in the spirit which has been my guide. I have tried above all to point out how closely the moral unity of the twenty-one republics which form the American continent corresponds to the noble ideal and aims of the League of Nations.

Ladies and gentlemen, the problems which confront us here are closely allied to those of the Pan-American Union, and the activities of the Union and those of the League of Nations converge, whatever attempts may be made to keep them apart, towards one supreme end—the improvement of the conditions of human life and the consolidation of the peace of the world. (*Loud applause.*)

(*On returning to his seat, M. Edwards was congratulated by many of his colleagues.*)

The President :

Translation: The delegate of Persia will address the Assembly.

Prince Arfaed-Dovleh (Persia) :

Translation: Mr. President, ladies and gentlemen—I beg to offer my sincere thanks to the Council and the Secretariat for the large amount of useful work which they have accomplished in the course of the present year, and I should also like to make a few general remarks.

The League is composed of representatives of 53 nations, inhabiting the five continents of the world. You are familiar with the view which is taken of the League in the West, but I should be glad to say a few words as to the opinions held in the East.

As you also know, the League has been attacked

lately by important organs of the European Press. It has been accused of extravagance, the number of officials is said to be excessive, and the salaries very high. Thus, an attempt has been made to rouse public opinion in Europe against the League.

Happily we number amongst our colleagues eminent men like M. Léon Bourgeois and Lord Robert Cecil, who have defended the League, and have made public the signal services which it has rendered during its brief existence. Nevertheless, its adversaries in Europe grow more numerous daily.

In the East we are concerned with a matter which is even more important than the budget. We are asking whether the League has indeed fulfilled the objects proclaimed when it was formed. During its three years of existence, has the League increased or diminished the faith which all its Members placed in it as a guarantee of peace, security and integrity? This is the question which we ask in all frankness, and we must candidly confess that the attitude of the great founders of the League towards it does not always enable us to give a satisfactory answer.

After four years of war and bloodshed, the League was created under the exalted patronage of Europe and the United States; but from the outset the United States have publicly washed their hands of its fate, and Europe has been responsible for its development and has taken it under its protection.

And now, gentlemen, we are asking whether the founders and protectors of this great institution set an example themselves, and whether they really believe in the efficacy of their own creation, the force of its statutes or the reality of Article 10 of the Covenant.

If they really believe in it, why do they all strengthen their positions by fresh engines of war, rather than by acts of guarantee and by the honour pledged by the 53 States Members of the League?

Why do they so often take up an attitude which weakens the authority of the League of Nations?

If each State follows its own inclination in great political problems, and if the only questions studied here are health questions or questions of technical detail, is it really possible to justify putting so many people to inconvenience and expending so much money?

If the East to some extent mistrusts Europe as the protector of the League of Nations, it is also because the great Powers have not always been impartial towards us. In the case of Persia, in particular, it is well known that during the war her neutrality was

not loyally respected by the belligerents. Events in Europe are a matter of common knowledge, but those in Asia are too little known, and there too we have misfortune, injustice and suffering to make good.

When Persia sent a special mission to recount her losses and defend her rights at the Versailles Conference she was refused admission. The same injustice was committed at the Genoa Conference and at the Lausanne Conference.

I trust that in the future this procedure will be changed, and that Persia will be invited to take her seat where her interests require it.

If you ask what connection there is between the attitude of Europe towards Persia and the situation of the League of Nations to-day, I can readily reply with a counter-question: How can the nations of the East have confidence in the League of Nations if its principal Members, the great European Powers which are its founders, are partial and unjust in their dealings with the nations of Asia?

If we wish the League to live and prosper, this procedure must be entirely changed. The great Powers must set an example of respect and confidence in the League by submitting their conflicts for its arbitration. By such procedure, and not by force alone, must they seek their guarantee and security. The mandatory Powers of the League in the Near East must also pay more attention to the desires and rights of the peoples placed under their mandate.

How can you obtain fresh Members and maintain the confidence of nations unless you change your methods?

Gentlemen, I have put before you in all candour the point of view of our peoples. You will pardon my frank but not unfriendly words; the hour is a particularly grave one, as we must all feel, and it would be a world calamity were the League to die or even to languish.

The League of Nations must live, must prosper and develop; for with its disappearance would vanish the last lighthouse by which the ship of the world in its distress may steer for safety. (*Applause.*)

The President:

Translation: I propose that the meeting be adjourned until to-morrow at 10.30 a.m.

The Assembly rose at 1 p.m.

SEVENTH PLENARY MEETING

Thursday, September, 13th, 1923, at 10.30 a.m.

President: M. DE LA TORRIENTE Y PERAZA.

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28.— TRAFFIC IN WOMEN AND CHILDREN;
REFERENCE TO AGENDA COMMITTEE
OF PROPOSAL OF M. DE ARMENTEROS
(CUBA) CONCERNING YOUNG WOMEN
TRAVELLING ALONE.

The President:

Translation: Before we deal with the Agenda I have two communications to make to the Assembly.

The first is from the Fifth Committee, which requests me to propose to the Assembly that the following motion presented by M de Armenteros, delegate of Cuba, to the Fifth Committee, should be referred to the Agenda Committee:—

“Young women not having reached their majority and travelling alone shall be required to provide themselves with a certificate from the authorities of the port of embarkation, containing assurances as to their previous conduct.”

(No objection was raised, and the matter was therefore referred to the Agenda Committee.)

29.—INTERNATIONAL FEDERATION FOR MUTUAL ASSISTANCE IN THE RELIEF OF PEOPLES OVERTAKEN BY DISASTER: REPORT OF AGENDA COMMITTEE.

The President :

Translation : The second communication is a report from the Agenda Committee, which reads as follows:—

“On considering the resolution with regard to the international federation for mutual assistance for peoples overtaken by disaster, the Committee is of opinion that, although this question may be regarded as a new one, it may nevertheless be considered, in view of its seriousness and of the urgent need for dealing with it, as constituting the exceptional case provided for in paragraph 4 of Rule 4 of the Rules of Procedure, and as such it may be placed on the Agenda of the Assembly.

“The Committee has accordingly decided to propose that this question should be placed on the Agenda of the Assembly, and that it should be referred to the Fifth Committee.”

I propose that the Assembly should accept the conclusions of the Committee and that the resolution of the Council with regard to the relief of peoples overtaken by disaster should be referred to the Fifth Committee.

If there is no opposition, I shall regard this proposal as adopted. (*Assent.*)

(The Council's resolution was referred to the Fifth Committee.)

30.—REPORT ON WORK OF COUNCIL AND SECRETARIAT: CONTINUATION OF THE DISCUSSION.

The President :

Translation : Ladies and gentlemen—The next item on the Agenda is the continuation of the discussion on the report of the Council to the Assembly (Annexes 5 and 5a, A. 10 and A. 10 (A). 1923).

M. Tcheng Loh, delegate of China, will address the Assembly.

M. Tcheng Loh (China) :

Translation : Ladies and gentlemen—This is the fifth year of the existence of the League of Nations. Its difficult, complex and varied work has already led to such satisfactory results that we may say to-day that this world institution for peace and justice is well on the road towards the gradual accomplishment of the great task it has undertaken of ensuring for humanity a better future, based on the principle of the equality of States, peoples and individuals, without distinction of race, language or religion.

The criticisms levelled at it, and the scepticism felt with regard to the new international order established

since 1919, grow ever less and less. Its adversaries, who but yesterday rejected the very idea of a League of Nations, now recognise that it cannot be ignored in the world of to-day.

Indeed we may congratulate ourselves upon the fact that the great Republic of North America since last year has not only sent a delegation, presided over by Mr. Porter, President of the Congress Committee for Foreign Affairs, to share in the work of one of the most important Committees of the League, but has also decided to work with us in the Fifth Committee of the Assembly.

This year, too, we have already welcomed another new Member of the League of Nations, and I am extremely glad to have the opportunity of expressing my heartiest congratulations and good wishes to the distinguished representatives of the Free State of Ireland.

I am firmly convinced that in the near future—perhaps a nearer future than we anticipate—every State in the world will join in our deliberations in the fulness of their rights as regular Members of the League.

I think that the League has given them a pledge for the future by its steady and tireless activity in every sphere of international life, in spite of the restricted means at its disposal. My distinguished colleague, Viscount Ishii, has already, in his masterly opening speech, given you an eloquent reminder of the fruitful achievements of the League of Nations.

You also have a detailed account of this work in the report of the Council which is now before you, and which is drawn up in the usual excellent manner which characterises the work of the Secretariat of the League.

I should like to add that the activities of the League have extended to the Far East, and that a Commission has been there to make a scientific enquiry into the spread of epidemics and the best means of combating them. I need hardly say that this Commission was welcomed in the most sympathetic manner, both by the authorities and by private individuals and institutions.

It can thus no longer be said that the League of Nations confines itself—as some of its adversaries have alleged—to academic discussions and the passing of platonic resolutions. If it has not been able to achieve more, this is not, I think, due to a fault in its methods, but rather to the nature of the questions under consideration, which for the time being did not allow of a more satisfactory solution; in fact, no other international body would have succeeded in finding a better solution.

If the intentions of the Covenant are followed, there is, in my view, not a single international question or dispute affecting inter-State relations which could not be submitted to the League.

The Assembly, the Council of the League, the technical organisations, the Permanent Court of International Justice, the International Labour Office, have all been established to enable the peoples to arrive at a better understanding, and to live on terms of close and intimate collaboration with one another. To this end China has agreed to make a very considerable contribution to the annual budget of the League, and, as a result of the application of the principle of geographical distribution which she has frequently defended before the Assembly, China has undertaken a great responsibility by sharing in the work of one of the highest organs of the League for the last three years.

Fully conscious of her right and of her duty, conscious also that the edifice of the League, the foundation of which is daily being strengthened, offers a refuge and a guarantee to all States, China continues to place the greatest confidence in the League and to cherish the highest hopes for its future.

It is in this spirit that I propose, on behalf of the

Chinese delegation, that the report before us should be adopted. (Applause.)

The President :

Translation : M. Christo Kalfoff will address the Assembly.

M. Kalfoff (Bulgaria) :

Translation : Mr. President, ladies and gentlemen—The Bulgarian delegation has studied the report of the Secretariat with the greatest interest, and is very glad to see that in the course of the past year the Council, and through it the League of Nations, has enlarged its field of action, increased its authority and renewed the hopes kindled by this great institution. We are particularly glad to see this, not only as representatives of a weak and disarmed State which, in the hour of danger or crisis, would look to the League of Nations as its natural protector and safeguard, but also as citizens of the world and especially as good Europeans.

European patriotism has been the subject of memorable discussions, but we feel that there is more especially a duty towards Europe. This duty, as we conceive it, has a triple aspect: the liquidation of the grievous and baneful heritage of the war, the economic reconstruction of Europe, and the re-establishment of true peace amongst peoples. I should like to say in a few words how Bulgaria, in her modest sphere, considers that this vast task should be accomplished.

At the conclusion of the war Bulgaria was forced to sign a peace treaty which public opinion in our country unanimously condemned as unjust and contrary to the rights of nationalities. But, being faced with the necessity of signing this treaty, we have determined to carry it out loyally and to the full. I will not speak of the heavy sacrifices which we have imposed upon ourselves for this purpose. One fact will suffice as evidence of our good faith: in the course of this year we have definitely settled the question of reparations in full agreement with the Principal Allied Powers. The obligations we have undertaken are enormous, are entirely disproportionate, and weigh heavily upon our shoulders, but we shall fulfil this engagement, as we have fulfilled all others; we shall honour our signature.

The policy of loyal fulfilment of treaties which Bulgaria has unfailingly pursued since the signature of the Armistice accords with the wishes of the people. Our Government to-day represents all the democratic forces of the country, and as such, stands, above all, for the need for peace and general understanding which is the dominant feeling of the people. It will devote the closest attention to the application of this policy. But the treaties do not only impose obligations on us: they have also endowed us with certain rights, which are considered necessary for our economic development and for the moral progress of our nationality. Unfortunately, however, these rights have hitherto not been applied.

We are confident in the future, but we should be failing in our duty if we did not give some indication of the bitterness felt by our people when they see that in certain respects, their readiness to carry out the treaties has not hitherto been met in a spirit of reciprocity.

If the complete fulfilment of the treaties is a postulate for the consolidation of Europe, her economic revival is a condition which is hardly less necessary. A small country, with limited resources, weakened by three successive wars, weighed down under the heavy burden of reparations, Bulgaria can play only an insignificant part in this great and urgent European problem. Yet we have endeavoured to contribute, so far as our means will allow, to the general work of reconstruction.

When they had laid down their arms, the Bulgarian people manfully returned to work, and applied in the

sphere of economic activity the energy, perseverance and receptivity of new ideas which have called forth the admiration of impartial observers.

Thanks to the sterling qualities of our race, the Bulgarian delegation may declare with pride to-day that, although our territory is reduced and our population diminished, we have, since the war, increased our national output to a very considerable extent.

We are supported by the confident hope that this improvement will continue. Two conditions are, however, necessary: firstly, that the burdens imposed on the Bulgarian people by the international undertakings which they have been obliged to sign are not increased so as to dishearten them in their work; secondly, that European capital is invested in our country, thus providing our economic undertakings with the necessary stimulus to enable them adequately to expand.

The Bulgarian delegation is the mouthpiece of this appeal made by Bulgarian labour to the nations represented in this Assembly which have extensive economic resources at their disposal.

When defining the nature of our duty towards Europe, I said that it consisted in restoring true peace among the peoples whom the war has divided. We are well aware that the task is an onerous one, and that there are obstacles in the way. But Europe cannot continue to live in the present atmosphere of ill-will, unrest and suspicion. She must seek out some means of pacification if she does not desire to condemn herself to irretrievable decay. What these means should be and how they can be made effective voices more authoritative than mine have declared, both here and elsewhere.

The protection of minorities is, beyond doubt, one of the most important factors in establishing peace among nations, and in making this statement I am sure that I am expressing the general conviction of this Assembly.

The unanimous applause which greeted last year the memorable speech by M. Motta, the distinguished representative of Switzerland when he declared from this platform that a new law was born, shows that the League of Nations fully appreciates the political and moral significance of the principle of the protection of minorities, and is genuinely desirous of carrying out the duty of supervision entrusted to it by the Treaties.

As representatives of a State which has itself undertaken obligations in regard to the protection of minorities, we have the honour to repeat the statement which we made last year, that we accept beforehand all methods of procedure which the League of Nations may consider necessary in order to make the rights of minorities a living reality.

We are convinced that it is to the real interest of the States which signed the Minorities Treaties to facilitate the application of those Treaties in a spirit of sincerity, for only in the school of freedom can minorities learn the lesson of loyalty.

I thank you, gentlemen, for the kind attention with which you have listened to me. We bring to this Assembly neither the authority of personal experience nor the resources of a brilliant civilisation, but we have come among you full of faith in this august institution, in its mission and in its future. (Applause.)

The President :

Translation : M. Politis, delegate of Greece, will address the Assembly on the subject of the Greek refugees.

(M. Politis mounted the platform amidst the applause of the Assembly.)

M. Politis (Greece) :

Translation : Mr. President, ladies and gentlemen—I have a pleasant duty to fulfil; on behalf of Greece I wish to offer the League of Nations, its Council, its

Secretariat and its technical organisations my gratitude for the assistance they gave in the grievous calamity which occurred at about this time last year.

You all know the terrible tragedy of the refugees in Greece. In the course of a few weeks the territory of Greece was inundated by a flood of more than a million people coming from various parts of Asia Minor and, soon after, from Eastern Thrace, to seek refuge in a country already impoverished and stricken by more than ten years of war. These refugees belonged to populations which but a few days before had been prosperous, and which had suddenly been plunged into the depths of destitution. With winter approaching it was necessary to improvise shelter for this horde of unfortunate people, to provide them with food and with the necessary attention and to prevent the spread of various epidemics, the germs of which they brought with them. The arrival of this multitude, representing as it did one-quarter of the population of the country in which it had sought refuge, involved suffering and an almost unlimited expenditure of money and energy. I may perhaps add that out of 1,250,000 refugees nearly 12 per cent were not nationals of the country; they were foreigners, principally Armenians. There were, and there still are, more than 100,000 Armenians in Greek territory.

But in the face of misfortune all men are equal, and the Greek people may pride themselves on having made no distinction among the sufferers who came to them for help. (*Applause.*) They did so all the more readily in the case of the Armenians because they felt themselves closely bound to them by the racial and political misfortunes of that unhappy people. (*Renewed applause.*)

The problem appeared to be insoluble. How could a country of nearly five million inhabitants provide even the most elementary help for this immense horde of more than one million refugees? The problem in its provisional form, namely, that of immediate help, was, however, solved. In one way or another shelters of some sort were promptly improvised and the necessary food and attention provided.

This is proved by the facts. The greater part of the refugees have survived their trials. Many of them have been provided with work and—this is an even more astounding fact, which has belied all the prophecies of the experts—no widespread epidemic developed among them.

The public authorities worked with remarkable energy and expended huge sums of money. They received wonderful support through the initiative and self-sacrifice of private persons. They also received considerable help from foreign countries; the list is a long one, and I regret that I cannot give you the complete record.

I must confine myself to expressing my heartfelt gratitude to all those who took part in any manner whatsoever in the organisation of this great work of charity.

I venture to single out for special mention the assistance given by the great charitable organisations of the United States, by the American Red Cross, by the Near East Relief, and by the Young Men's Christian Association. (*Applause.*) You are no doubt aware that these organisations expended tens of millions of dollars. For nearly seven months they fed more than 800,000 people; they vaccinated more than 500,000 persons; they received and supported nearly 20,000 orphans, who are still under their care. It is impossible to do adequate justice to this admirable work. (*Applause.*)

The League of Nations may claim the place of honour in this work. In speaking of the part played by the League, we cannot but acknowledge our duty to pay a public tribute to the achievements of that great philanthropist, the High Commissioner of the League

of Nations—I refer to Dr. Nansen. (*Loud applause.*) I have had the privilege of seeing him at work, the pleasure of benefiting by his advice and help, and of doing all that was in my power to facilitate his difficult task. I may say that, after witnessing the devotion with which he worked in the service of this lofty ideal, I cannot but recognise what a debt of honour I have incurred towards him. I have brought away with me the deepest admiration for his character, his kind heart, his energy and his undaunted courage.

The report of the Council contains a full account of the work accomplished by Dr. Nansen for the refugees of the Near East. I can only add that, if more or better work could have been done, the fault does not lie with the High Commissioner of the League of Nations. Not only were the resources at his disposal limited, but there were insurmountable obstacles of a diplomatic and military nature which prevented him from giving full play to his good intentions.

Nevertheless, Dr. Nansen and his fellow-workers succeeded in collecting large quantities of money and clothing. They were able to distribute food and medical supplies on a large scale. In Western Thrace, in particular, they were able to settle more than 11,000 refugees and provide them with work. They have given us a model to be followed in what still remains to be done for the great majority of the refugees for whom provision has still to be made.

The report rightly calls this problem a formidable one. It is, in fact, a question of actually transforming close upon 860,000 persons, who at the moment are pariahs, into producers of wealth. It is a question of raising these people from their present condition of poverty and dependence and of making them free men capable of earning their daily bread by the work of their own hands.

This problem is fraught with difficulties of all kinds, but more especially with financial difficulties, for the estimated amount which is necessary for the settlement of these refugees is at least £12,000,000.

Greece could not, of course, attempt to provide so vast a sum out of her own resources. The only possible solution was to fall back on international capital and obtain a loan. The resources which Greece was able to offer as guarantees were considered sufficient to render such a financial operation practicable.

The great service which Dr. Nansen rendered—and I may perhaps call it the greatest service which he has rendered to the cause of the refugees—lay in the fact that he realised the financial position and succeeded in interesting the League of Nations in the scheme.

The Greek Government adopted the idea set forth by Dr. Nansen in his reports, and requested the Council to grant its moral support with a view to facilitating the issue of a loan of this nature. It requested the Council to examine the methods by which this loan could be raised and, if the opinion of its experts were favourable, to give it the benefit of its support. The Council accepted this suggestion in February; in April it appointed a sub-committee and asked Dr. Nansen, acting in agreement with the Greek Government, to consider a general scheme for the settlement of the refugees.

The Financial Committee of the League of Nations sent one of its members to Greece to gather the necessary information in the matter, and Colonel Proctor, Dr. Nansen's representative, drew up an interesting report on the guarantees which Greece could offer for the capital sums for which she was asking and on the method of using the sums obtained from the loan.

In July last, on the recommendation of the Financial Committee, the Council of the League agreed to give its moral support to this financial operation, and, further, to take a practical part by appointing certain representatives who should assist in the organisation of a Refugees Settlement Commission to see that the funds were used solely for the benefit of the refugees.

Negotiations with regard to the loan have been opened. The Bank of England has already granted to the National Bank of Greece a first advance of £1,000,000 at the special rate of 5 per cent.

There are good prospects that the loan will shortly be arranged, thanks to the moral support given by the League of Nations and the good security offered by the Greek Government.

We are, moreover, assured that the Refugees Settlement Commission will soon be set up with the assistance of the League, and that the work of settling and establishing the refugees will shortly commence on a large scale.

It is, indeed, considered highly probable that, upon the conclusion of this work, it will be possible to redeem the loan within a very few years by means of contributions from the earnings of all refugees who have been settled, and that the settlement of the refugees will mean an increase in the productive capacity of Greece amounting to not less than 25 per cent.

Accordingly we may confidently expect that a great deal of good will result from the appalling catastrophe which befell Greece last year. To the League of Nations will justly be due a share in this work of salvation and financial reconstruction, and Greece desires at once to offer her deepest thanks to the League.

Greece has yet another reason for offering her thanks to the League of Nations.

One of the questions connected with the arrival of the refugees in the country was the health question. Dr. Nansen had appropriated to health work a sum of £5,000,000 from the funds collected by him in various countries. The Health Committee of the League agreed to send to Greece certain of its members, who gave useful assistance to the local authorities by inspecting refugee camps and vaccinating large numbers of people. The report on the work of the Council quotes a figure which, in my personal opinion, is now much below the reality. It is stated in the report that, thanks to the co-operation between the representatives of the League and the Greek authorities, some 1,700,000 people had been vaccinated by April 1st.

The Greek Government hopes that, once the settlement of the refugees is well under way, the Health Committee of the League will assist it to complete the work of health organisation, which is of immense importance to the country.

Before concluding, I should like to mention a point which is not referred to in the report. In another field the League has rendered important services to Greece and to her neighbours, both from a humanitarian and also from political point of view. I allude to the Græco-Bulgarian Commission set up under the 1919 Convention to deal with voluntary emigration between the two countries.

The Commission began work at the end of 1920 and has already made good progress. The work will be concluded in eighteen months.

The Commission, which is composed of one representative of each Government and two members appointed by the League, has succeeded in satisfying both countries; nay, more, it has won their confidence so completely that a suggestion has been made that the Commission should be spontaneously and unreservedly entrusted by the two Governments with another and a similar task of great importance, namely, that it should be placed in charge, at the outset, of the application of the system for the protection of minorities as between these two countries. (*Applause.*)

Agreement upon this point will, I believe, be reached, and I am sure that this agreement will, in practice, produce extremely happy results.

In this way a tradition will be established. Subsequent applications of the minorities system will be facilitated by this fact alone, and relations between our two neighbouring countries will, in consequence, be so far improved that their friendship may henceforth con-

stitute a firm basis for the maintenance of peace in the Near East. (*Applause.*)

I have dwelt on this point because I think I may, with your permission, draw from it a lesson of great importance. The prestige enjoyed by the League in the East is due not merely to the lofty and sublime ideal of which it is the symbol, but also—and, believe me, I am not exaggerating—to the character and abilities of the persons sent to Eastern countries to act in its name. (*Renewed applause.*)

Such is the devotion shown by the League's representatives in the East, so correct is their conduct, so noble their qualities of mind and heart, so scrupulous their solicitude never to wound the legitimate *amour propre* of the countries which they visit, that in a very short time they obtain the confidence of the Governments with which they deal.

This is an asset of the highest value. The success of the work for the refugees and of the work of immigration between Greece and Bulgaria is due to the great good fortune which the League of Nations enjoyed in discovering in Dr. Nansen—for the refugees—and in Colonel Corfe and M. Hoover—for the question of immigration—representatives who are worthy of it and of the mission entrusted to them. (*Applause.*)

The selection of the League's representatives is therefore of primary importance—of far greater importance than is usually imagined—and for this reason I hope that, when selecting representatives in the future, the League of Nations will continue to exercise the same careful vigilance as it has shown in the past. (*Applause.*)

The President :

Translation: M. Sidzikauskas will address the Assembly.

M. Sidzikauskas (Lithuania) :

Translation: The eloquent words which were spoken a few days ago, at the inaugural meeting of our Assembly, by the distinguished President of the Council, Viscount Ishii, and by the other eminent speakers who have preceded me on this platform, are too recent in my memory to allow me to dwell on the remarkable work achieved in the past year both by the Council and by the technical organisations of an institution the origin of which will, in the eyes of future historians, be identical with the beginning of a new era in the evolution of mankind. I think, however, that in view of the intimate association of the history of the first few years of Lithuania's renaissance with the history of the League of Nations, I may venture to remind you of the rôle played in the development of a young country by the League, which, though young itself, is called upon to exercise an increasingly decisive influence on the relations between the great countries and their less favoured neighbours.

I have not mounted this platform merely from a desire to draw the attention of an Assembly of representatives from all parts of the world to the unmerited misfortunes of my country. I feel also that an exchange of views before the highest political tribunal in the world—to which is entrusted the mission of mediation between the strong and the weak—on the Council's work in connection with a specific case with which you have all long been familiar, would be desirable.

The lengthy proceedings before the Council of the League of Nations in regard to our capital, Vilna, have enabled us to draw certain inferences of a general character which, in our opinion, we are bound to bring to the attention of the Assembly solely in order to contribute, so far as lies within our feeble powers, to the realisation of the ideal by which the authors of the Covenant were guided.

It is unfortunately only too certain that the League of Nations does not yet occupy that place in the political arena which was assigned to it by the intentions

of its originators. We believe that there are two reasons for this state of affairs: the first lies outside the Powers of the League, while the second is closely bound up with the methods hitherto employed by the Council when settling disputes between States.

Side by side with the Council of the League there is another institution—the Conference of Ambassadors. The competence of the Conference has never been precisely defined, and its actions are sometimes at variance with the resolutions of the Council. Let me give you an example. For nearly four years the Council has dealt with the dispute between Lithuania and Poland in regard to Vilna, the capital of the Lithuanian State since the early Middle Ages, and also in regard to the surrounding district. On September 20th, 1921, the Council passed a final recommendation under the terms of Article 15 of the Covenant. According to this resolution Vilna was, under certain conditions, to be returned to Lithuania.

On January 13th, 1922, that is to say, on the day following the travesty of an election held at Vilna under the auspices of the Polish occupation, the Council passed a resolution in which it stated that: "The Council cannot recognise any solution of a dispute, submitted to the League by one of its Members, which may be reached without regard to the recommendation of the Council or without the consent of both the parties concerned."

Later, at a plenary meeting held on September 15th, 1922, the third Assembly confirmed the Council's resolution which I have quoted.

A few months afterwards the Conference of Ambassadors, at the request of the Polish Government, adopted a resolution under the terms of which, in defiance of all right, the Polish occupation received the sanction of the Powers.

It was noted with great surprise, therefore, that instead of protesting against the resolution of the Conference, which was completely at variance with that of the Council, the Rapporteur for the Polish-Lithuanian dispute endeavoured to justify the measure which had been adopted by the Conference. He even went so far as to allude to the declarations made in the matter by the Lithuanian delegation to the Council and to the Note from the Lithuanian Government to the Conference of Ambassadors.

As this question is dealt with in the report of the Council to the fourth Assembly, I think it essential to emphasise once more that neither the declarations of the Lithuanian delegation nor the Note of the Lithuanian Government conferred any mandate on the Conference of Ambassadors to settle the dispute between Poland and Lithuania in a sovereign manner.

All that the Lithuanian Government asked of the Conference was that it should put into execution the rights conferred upon it by Article 87 of the Treaty of Versailles. It is true that in virtue of this Article the Powers represented on the Conference of Ambassadors were entitled to take decisions regarding the territories entrusted to them by the treaties, but this right did not apply to the territories which had formed part of the Russian Empire.

The policy to be pursued by the Powers in this matter was clearly defined; it was either to recognise the existing treaties, as in the case of the frontiers between Poland and Russia, or to examine with Lithuania the tracing of its frontiers with Poland. This was the object of the appeal made by the Lithuanian Government to the Conference of Ambassadors, and it was stipulated in advance that Poland should carry out the terms of the Treaty of Suwalki—in other words, that Polish troops should evacuate Vilna.

But instead of pursuing the policy which was the necessary outcome of the resolutions which it had adopted, the Council abandoned the question, and left to its Rapporteur the embarrassing task of defending and justifying the action of the Conference of Ambassadors.

What, again, has been the attitude of the Council of the League of Nations in the matter of the neutral zone separating the Lithuanian and Polish troops? This zone was established by virtue of an armistice protocol signed by the representatives of the Lithuanian and Polish Governments. No dispute as to the partition of this zone has been brought before the Council by either of the interested parties under the conditions laid down in the Covenant.

Nevertheless, the Council, despite the protests of the Lithuanian Government, has seen fit to pass a resolution by which the zone was to be partitioned, and has even endowed this resolution with the force of a final recommendation by the Council in virtue of the sixth paragraph of Article 15 of the Covenant.

Further, the President of the Council has threatened Lithuania with the application of the terms of Article 16 of the Covenant should the Lithuanian Government oppose the occupation of part of the neutral zone by Poland. As the Council was unwilling to accede to the Lithuanian Government's request that the Permanent Court of International Justice should be consulted, the matter was referred to the Assembly of the League of Nations. The Council has thus established in this matter a precedent which may have serious consequences in the future, and which should on this account be carefully noted. Despite the fact that the question was not specifically referred to it, the Council decided to modify the provisions of an agreement concluded by two States, and that without asking their consent.

The treatment of the non-Polish population of the Vilna territory by the Polish Government is also dealt with in the report of the Council. Members of the Sixth Committee will doubtless recollect the extremely heated debates on this subject which took place last year. The third Assembly decided to entrust the Council with the examination of this question, and concurred in the view expressed in the speech made by the Rapporteur of the Sixth Committee when he said that the Council would be acting in the spirit of the Assembly by sending a Commission of Enquiry to Vilna. Instead of taking the proper measures for the protection of the non-Polish population of Vilna against the unjust treatment they were experiencing in the course of the occupation, the Council decided to make use of the procedure laid down in the Minorities Treaties, thus abandoning, in this particular case, an overwhelming majority of the population of the disputed territory to the arbitrary and oppressive rule of the Polish authorities.

In thus dwelling on certain aspects of the dispute between Poland and Lithuania—a dispute which will continue until a just solution has been found—I have no desire to bring these questions up afresh before the League. Since the Council refused to take the action which it should have taken immediately on Zeligowsky's *coup*, we have no further hopes of fresh action by the Council which might lead to a prompt and equitable solution of the dispute. The Polish-Lithuanian dispute will continue as long as the territorial points at issue between the two States are not settled in accordance with right and justice, the fundamental principles of with right and justice, which are the fundamental principles of the League of Nations. We should be glad to believe that, in her own interest and in that of Europe, Poland will in time abandon her policy of force, and thus bring about the possibility of a friendly solution of the Vilna question.

As a loyal and sincere friend of the League, I should be happy, if in view of the statement which I have just made, other countries—should they be involved in a similar dispute—could be spared the disappointments suffered by my country.

In conclusion, I should like to express my ardent wish for the speedy disappearance of the obstacles which have hampered the first steps taken by the League of Nations in its pursuit of an ideal which can

only be attained by the full exercise of its authority.
(Applause.)

The President :

Translation : Professor Gilbert Murray will address the Assembly on the subject of minorities.

(Professor Gilbert Murray mounted the platform amidst the applause of the Assembly.)

Professor Gilbert Murray (South Africa) :—Mr. President, ladies and gentlemen—It will be in the remembrance of most members of the Assembly that last year we had long and exhaustive discussions in which I think all the States concerned in the question took part, about the procedure to be applied by the League in carrying out its duties under the minorities clauses of the Treaties. I need not emphasise the point that procedure is of absolutely capital importance in the carrying out of those Treaties.

The idea of putting a minority in a country under the protection of a foreign influence is of course one which is full of danger. The great thing to bear in mind through the whole process is that the League of Nations is not a foreign State anywhere. The League of Nations is not foreign to any single one of its Members. At most, it represents the whole family of which we various nations are Members. But in any case, the idea of protecting a minority within a State by any sort of abnormal means is full of difficulty and requires the utmost care.

The idea that inspired the rules of procedure established last year was that our object must be to render the members of the minorities, contented and loyal citizens of the States to which they now belong. We wanted, above all things, not to encourage irritantism, not to encourage any sort of feud between the minorities and their Governments. We wanted to use all the influence of the League to bring the minorities and the Governments into a concordant whole.

With that in view, the whole procedure was reconsidered. It was before Committees, and it went to Sub-Committees; the discussions were quite long, and I think I may say they were, to a remarkable degree, both frank and friendly. In the end, the recommendations were unanimous.

I want to suggest to-day that, in the main, we should maintain that procedure, at any rate for some time—that we should not disturb it without cause. Let me guard against one misunderstanding. Of course the Council has reconsidered these rules of procedure. Certain amendments were proposed by the Czechoslovak Government and by the Polish Government. On many points, those amendments were held to be improvements on the procedure that the Assemblies had recommended and they were adopted.

On two points I think the Council rejected certain proposals of the Polish Government for reasons which, I must say, seem to me absolutely conclusive and which I hope convinced even those who put the amendments forward. I have not a word to say, and I do not think that those with whom I have been generally acting have a word to say, against the slight modifications made in our procedure by the Council, at any rate as regards its broad lines. There may be some points on which we would like to ask questions or possibly to suggest minor modifications. But what I principally want to say is that I think the Assembly has every reason to be content with the procedure which was established last year after considerable experience and now very slightly modified by the Council after reconsideration. We are content with that.

I think it is perhaps worth while congratulating ourselves—in the main we are perhaps a little too apt

to congratulate ourselves—that we have had in the application of the Minority Treaties a remarkable degree of success. None of the obvious dangers which we might have feared have really materialised. There is not one case, I think, in which we have seriously embittered the relations between any minority and its government. There has been no tendency to send any repeated, vain petitions. The petitions sent in are really very few in number, and, on the other hand, I think that by now that terrible fear of possible consequences which, at the beginning, made the minorities in certain parts of Europe prefer to hold their peace and endure the evils they had rather than run the risk of exposing themselves to danger by speaking, has largely disappeared. I think now that, owing to the extremely tactful procedure of the League, and the excellent management of this affair by the agents of the League and the Secretariat, we can feel reasonably sure that there will be no minority in Europe suffering from any grievous oppression and afraid to speak.

I cannot sit down without expressing the very, very great satisfaction—I may almost say, the joy—that I felt in hearing the very striking and remarkable speeches made by the representatives of Greece and Bulgaria this morning. Never in my experience of the League have we heard two speeches by representatives of nations, which, unfortunately, by historical circumstances have been very often brought into conflict, which more admirably express the full spirit of the League of Nations. Both speeches possessed that quality which is higher than patriotism, that real devotion to the great cause of giving full contentment, freedom and opportunity to all the human beings for whose welfare the Governments are responsible.

The words of the Greek representative towards the close of his speech gave me particular pleasure. He recognised the great efficiency—the more than efficiency—the skill and high-mindedness of the agents which the League has been able to find for carrying out its work in the Near East—perhaps the most difficult sphere of operations under the League—and he announced his agreement, as the Bulgarians have already announced their agreement, to a most remarkable scheme for carrying out effectively, fully, and without friction, the real protection of minorities upon a very difficult frontier.

Both Governments appointed as their agents for the protection of minorities a commission of the League which is already on that frontier supervising the mutual emigration of Bulgarians from Greece into Bulgaria and of Greeks from Bulgaria into Greece, and the Governments asked that agent of the League which is already on the spot, which is permanently resident until its work is accomplished, and which has established itself in the confidence of both parties, to carry out this important and delicate work.

We shall have great difficulties in connection with this question when certain great States, which are not yet Members of the League, enter it, and we are able to continue this work still further. I do not think it is possible for us to begin to face that new problem with greater hopefulness, greater reasoned ground for expecting success, than was shown in the spirit which animated the speeches of both the Greek and Bulgarian delegates this morning, and in the particular concrete proposal on which they found themselves agreed. (Applause.)

The President :

Translation : The discussion will be continued at 11 a.m. to-morrow.

The Assembly rose at 12.35 p.m.

EIGHTH PLENARY MEETING

Friday, September 14th, 1923, at 11 a.m.

President: M. DE LA TORRIENTE Y PERAZA.

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33. PERMANENT COURT OF INTERNATIONAL JUSTICE.
Telegram from M. Pessoa accepting his election as judge.

31.—DELEGATION OF THE IRISH FREE STATE: APPOINTMENT OF DELEGATES.

The President:

Translation: I have received a letter from the delegation of the Irish Free State informing the Assembly that its delegation to the fourth Assembly of the League of Nations is composed as follows:—

Delegates:

Mr. John MacNeill, Minister of Education.
Mr. Hugh Kennedy, Attorney-General.
The Marquis MacSwiney of Mashonaglas.

Substitute-delegates:

- Mr. Osmond Grattan Esmonde, Member of Parliament.
Mr. Kevin O'Shiel, Assistant Legal Adviser to the Executive Council.
Mr. Michael MacWhite, Representative provisionally accredited to the League of Nations.

(The communication was duly noted.)

32.—REPORT ON WORK OF COUNCIL AND SECRETARIAT: CONTINUATION OF THE DISCUSSION.

The President:

Translation: According to the Agenda, we should now continue the discussion on the report of the Council to the fourth Assembly (Annexes 5 and 5 (a), Documents A.10 and A.10 (a). 1923).

The delegate of Poland will address the Assembly.

M. Skirmunt (Poland):

Translation: Mr. President, ladies and gentlemen—Ever since the formation of the League of Nations, the Republic of Poland, which I have the honour to represent, has been one of the States which has collaborated most closely with the League and has been most directly interested in its efforts for peace and international co-operation. The Polish delegates took part in drawing up the Covenant at Paris. The international treaty of which that Covenant is a part definitely established our political independence and sanctioned our territorial integrity. We therefore follow the progress of this great organisation with keen interest and entertain high hopes for its future.

The strength of the League of Nations should lie in the fact that the League is based on the observance of the principle of the sovereignty and equality of the States Members. Although some States take a more active part in the work of the League, as Members of the Council, and others only sit on the Council for the discussion of special questions in which they are directly interested, all States should co-operate on the same footing and contribute equally to the important decisions taken by this organisation. We endeavour in this manner to remain faithful to the spirit which gave birth to the Covenant.

We also wish to uphold the provisions of Article 10, to which we attach very great value in the interest of universal peace.

I have ventured to make these few brief remarks of a juridical nature because they are, I think, particularly relevant to that part of the Secretary-General's report which deals with the important problem of amendments to the Covenant.

The work of the League can only be carried on in an atmosphere of security and mutual confidence. Poland will always be ready to aid in the elimination of the many and intricate reasons for the maintenance of armaments; she is the more ready to do so on account of her geographical position, and because some of her neighbours are not yet Members of the League.

The Polish Government has given proof of its desire to strengthen the guarantees of the fundamental rights of States, by assisting in the work of the Temporary Mixed Commission for the Reduction of Armaments and by taking part in the Moscow Disarmament Conference. At that Conference Poland joined forces with the Baltic States, all of which rallied

to the Polish policy of peace and put forth every effort to make the Conference a success.

While maintaining intact the principles laid down in Article 10, we should at the same time aim at extending them in every possible way. For this reason we are in favour of the Treaty of Guarantee drafted by the Temporary Mixed Commission.

Without wishing in any way to under-estimate the importance of the great achievements of the League, such as the creation of the Permanent Court of International Justice, the settlement of the Silesian question, the success of the Austrian relief measures, and the fruitful work done by the Health Organisation, I should like to emphasise the fact that, now that the solution of the problem of the Treaty of Mutual Guarantee is in sight, we have reached a decisive moment in the development of the universal commonwealth of nations.

The whole world considers, and rightly so, that this is the main purpose of the League and the real reason for its existence.

I believe that, if doubts are still entertained in any country as to the League's power of survival, they will vanish as soon as this great Assembly has adopted the Treaty of Mutual Guarantee and thus paved the way for universal disarmament.

I should next like to mention the special interest which Poland takes in the work of the League, not merely because she is directly interested in certain complicated questions, but particularly because the League is making progress in its work for the consolidation of peace in Europe, for the economic reconstruction of Europe, and for a rise in the standard of political, intellectual and moral life throughout the world.

Poland fully realises that the interests of nation and of State must be reconciled with matters of wider scope, which affect the interests of all mankind.

Owing to events subsequent to the war, and especially to the clauses of the Treaty of Versailles, Poland has frequently been the directly interested party in problems placed on the Agenda for discussion by the League.

I am happy to note that these questions have now been more or less settled and that my country will be able to take a larger and increasingly active part in the general work of the League. I am firmly convinced that our policy is, in its general outlines, fully in accordance with that of the League.

In foreign affairs our aim is to smooth over difficulties and obviate such conflicts as will always be liable to arise in view of the unsettled conditions still prevailing in Central Europe.

We believe that we can attain this goal by bringing our policy into line with that of other countries which have the same aspirations, and by strengthening our economic ties with them by means of commercial treaties, a number of which have been concluded and are already ratified.

We are at present negotiating treaties of this kind with Great Britain and Finland. Such treaties do more than represent an adjustment of commercial relations between the signatory States. They also contain clauses which specially aim at facilitating transit through Poland. By this means they will promote the adjustment of international trade on a more general scale and they are thus fully in accordance with the spirit underlying the work of the Economic Committee and of the Transit and Communications Organisation of the League.

The first aim of our home policy since the war has been the economic reconstruction of our country. We are faced with great and difficult problems in our budget—questions of taxation and of currency. I am glad to state, however, that our trade balance is a favourable one, and unemployment hardly exists, whilst our industrial and agricultural output is increasing and is in many cases greater than before the war.

I should like to give you a few examples of what we are doing in a sphere of special interest to the League — that of national minorities.

To take schools first: the condition of German schools in the districts inhabited by the German minorities must be considered as extremely satisfactory. In 1922 there were 1,549 German primary schools in Poland, with 1,908 teachers, maintained at the Government's expense. In many of these schools there was not even the regulation number of 40 pupils — a proof that the schools are almost too numerous. I only wish I could say that the Poles who have remained in Germany had the same opportunities of attending national schools as the Germans have in Poland. This is far from being the case, as there are hardly any Polish schools in Germany.

The Ruthenians in Galicia also have their own schools, the number of which is increasing annually to meet the requirements of the population. There are at present 2,426 primary Ruthenian schools in Galicia—a considerably larger number than existed in 1914.

The Jews also have their own schools. They are granted suitable facilities for developing them, and, if necessary, subsidies of money.

I have ventured to quote public education as an example, merely to prove that the Polish authorities realise their duty towards minorities and aim at creating conditions in which every inhabitant of the country shall have his rights and requirements duly safeguarded. Members of a national minority must not, however, make demands which would place them in a privileged position. In everything that they do they must be mindful of the interests of the State.

The principle which I have mentioned received recognition in the resolution passed by the third Assembly following the debates in the Sixth Committee on the procedure to be adopted for the protection of minorities. On the basis of this principle, the Polish Government proposed certain amendments to the existing procedure, some of which have been accepted by the Council. The Polish Government is fully aware that this procedure can only be improved gradually and for this reason my Government realises that it might be advisable to re-examine the remainder of its proposals at a later date.

I had the honour to make some suggestions in this sense to the Council which met with the full approval of the Rapporteur. Whilst acknowledging that the observations made yesterday by Professor Gilbert Murray in his speech were correct, I thought I might venture to make the above comments.

In this brief statement of what Poland is doing and of the tasks which she has set herself, I am not attempting to claim that we have already done everything that can be done, but I should like to emphasise the fact that we are earnestly pressing forward in the direction followed by the League, and are striving for the same objects—objects so admirably set forth in the Secretary-General's report.

Our work has hitherto been greatly hampered by conditions in Europe and by our peculiar geographical position. We need security from attack in order to devote ourselves more fully to the internal development of our country, and in this connection a matter of considerable importance has occurred this year, namely, the sanctioning by the Allied Powers of our Eastern frontiers.

The delegate of Lithuania, in his speech yesterday, referred to this question, which I might say is already a matter of history. I duly note his statement that he has no wish to raise the question afresh before the League of Nations.

As regards the hope which he expressed, that, in time, Poland may allow a friendly solution of the problem of Vilna, I must reply that this question has been settled definitively, and that the solution found

was the only possible one, for nowadays Vilna is a Polish town and desires to remain Polish.

The Lithuanian representative on the Disarmament Committee spoke at its last meeting of the importance of moral disarmament. I can assure him that Poland is animated by the spirit of disarmament and peace in her relations towards new Lithuania. (*Applause.*) I hope that the day is not far distant when this truth will be understood beyond the Polish-Lithuanian frontier and there will be a consequent change of attitude.

We are ceaselessly striving to improve conditions with regard to our outlet to the sea. Our recent negotiations with the Free City of Danzig, conducted under the auspices of the League of Nations, show what progress has been made in this direction. The settlement of our relations with Danzig is of primary importance to Poland as well as to the Free City itself.

The points which I have emphasised form only a part of the very serious questions with which the League of Nations is concerned in Central Europe, where radical changes have been brought about by the war. The task will be a lengthy one, but I am convinced of its ultimate success. I am certain that, above all, co-operation is the secret of success; the efforts of all countries must be united in support of moral power and the work of the League of Nations. (*Applause.*)

The President :

Translation : M. Frasherri, first delegate of Albania, will address the Assembly.

M. Midhat Frasherri (Albania) :

Translation : Mr. President, ladies and gentlemen—I have a duty to carry out from this platform. I come to convey to this great League of Nations the gratitude of the small country which I have the honour to represent, and which is, I consider, bound to the League by ties of gratitude.

Albania may perhaps be called the god-daughter of the League of Nations. The League of Nations assisted at her re-birth, it admitted her into its circle and enabled her to enter into diplomatic relations with other States. The path which the League of Nations thus opened to her was subsequently made easy by the interest which this god-father, or rather god-mother, has always taken in the welfare of this small State.

Since that date—and I make the statement without fear of contradiction—Albania has done her utmost to be worthy of the care of the League of Nations. There has been a steady improvement in her internal conditions; her relations with her neighbours have again become normal; her diplomatic relations have been established, and the path before her has thus been made smooth.

Although one of the most recent Members of the League of Nations, Albania is truly democratic, both in her constitution and in her government. I can here testify that the ideals for which the League stands have their most convinced advocates among the Albanians who are the devoted adherents not only of the principles but of the ideal of the League of Nations—the spirit of brotherhood among the peoples, which we confirm here every year afresh.

I belong to a region of Europe which has suffered greatly, a region which has perhaps been most severely tried during the last two decades.

It was this part of Europe which stood in the greatest need of peace, concord and harmony among its diverse elements. The Balkan peoples are now beginning to realise that there is only one road to prosperity, only one method of breaking with the bad habits of the past, which made us regard as an enemy all peoples on the further side of the frontier. They now realise that

solidarity of common interests, material and economic solidarity, even moral and intellectual solidarity, must unite and not separate peoples.

The Governments of the Balkan countries are giving powerful support to this idea of their peoples. I believe I am faithfully interpreting this sentiment when I state that the prospect of a war, however far distant, is regarded with horror by the Balkan peoples, who earnestly desire peace. Nevertheless, even their most strenuous efforts cannot have a rapid and immediate result. They are working energetically towards this end and receive considerable assistance from the atmosphere of Geneva, not only of this city, where we breathe the spirit of religious and political liberty, but the atmosphere of this great League of Nations, where every year we steep ourselves afresh in the ideas of brotherhood, co-operation and solidarity. This atmosphere of goodwill will largely contribute to the steady improvement of international relations.

But is it sufficient merely to breathe the atmosphere of the League of Nations? Should we not also support the efforts necessitated by the present position of the Balkan countries? Yesterday the delegate of Greece spoke of the good work of a representative of the League who is at the present moment superintending the settlement of certain minor difficulties which unfortunately still exist amongst certain of the Balkan peoples.

Here we have a good illustration of the useful work which the League of Nations is accomplishing and will continue to accomplish in the future. The direct intervention of a representative appointed by the League may achieve more in two weeks than three years of effort on the part of the peoples themselves. If, whenever some small difficulty arises, the Balkan States were to apply to the League of Nations, whose representatives have given proof of a great spirit of independence and impartiality, and to request its moral support and disinterested assistance, they would be rendering a real service to the cause of peace.

It is true that the area of the Balkans is not large, but the ideas which inspire the League of Nations are based on close solidarity among all countries and all regions, whether small or great. Thus the States taken together form one whole, one harmonious body. The most trivial ailment, the slightest wound, may affect the whole body; similarly, minor difficulties, minor disputes between the component elements of a country or a district may affect the general community of nations.

If I put forward these arguments, it is only that I feel I should render an account to the League of Nations as if to the shareholders of a company. The League has entrusted to us moral capital which is destined to bear interest, and the yield from this moral capital is steadily increasing year by year. The progress made by one small country must inevitably have the effect of adding to the number of supporters of our great League and of consolidating the confidence to be placed in its future and in the services which it is called upon to render.

Gentlemen, the League of Nations was not born solely of the wills of a few people; it was not born solely of a Covenant. It represents, in the eyes of the small nations, which are beginning to become conscious of their rights, the manifestation of a new ideal, the ideal of brotherhood, and, above all, of solidarity among the various countries. (*Applause.*)

The President :

Translation : M. Erich, delegate of Finland, will address the Assembly on the question of Eastern Carelia.

(*M. Erich mounted the platform amidst the applause of the Assembly.*)

(a) EASTERN CARELIA: MOTION BY M. ERICH
(FINLAND).

M. Erich (Finland):

Translation: The Finnish delegation cannot miss this opportunity of expressing its gratitude to the Council for having submitted to the Permanent Court of International Justice the question of the legal character of the documents put forward by Finland in regard to the autonomy of Eastern Carelia.

The report to the Council on this question very rightly observes that "it is the duty of the League to help its Members, through its institutions, to maintain good relations with their neighbours and to facilitate the peaceful settlement of disputes". This assurance—which, in this particular connection, refers to the relations between Finland and Russia—and the principle on which it is based, can only serve to strengthen the confidence of Finland in the goodwill of the organisations of the League of Nations.

Finland is fully aware of the difficulties connected with questions relating to Soviet Russia. It is, accordingly, undeniable that, at the time when Finland applied to the Council with a view to obtaining an advisory opinion on the question, there was no reason to believe that the Soviet Government would consent to appear before the League of Nations or even to co-operate in any way in any advisory procedure.

On the contrary, all previous experience of the attitude of the Soviet Government towards the League of Nations and the organisations under its auspices led to the belief that Russia would take no part in the proceedings contemplated in the Council's request.

The line of argument adopted in the report to the Council also shows that the Council gave due weight to this consideration.

The Council shows itself to be fully aware of the legal character of the advisory opinion which was to be given on the question of Carelia when it stated that "in this procedure there will be no 'parties' in the strict sense of the word"¹. This statement implies that the consent of the interested States is not a necessary proviso in advisory procedure.

Moreover, the report of the Secretariat which is before us contains, in regard to the dispute between Hungary and Roumania, the following passage:—

"The Rapporteur then proposed that if the question were not referred to the Permanent Court of International Justice the Council might ask the Permanent Court for an advisory opinion on the understanding that the Council's freedom of decision would be in no way limited."

The Council here expresses a view which must be regarded as wholly consistent with the conception of an advisory opinion according to the underlying principles of the Covenant of the League of Nations.

The Finnish Government ventured to place before the Court the following arguments: in the case of advisory opinions it is for the Council or the Assembly to bring the question before the Court; the fact that action was originally taken by one or more States before the actual application was made is of no decisive importance. Such advisory proceedings do not, as in the case of litigious actions, require the previous consent of the parties, whether in the form of a special or of a general undertaking. Nor is it necessary, when an advisory opinion is given which concerns a State not a Member of the League of Nations, that this State should submit to the obligations incumbent on Members.

¹ See *Official Journal of the League*, June 1923, page 663.

Moreover, the question raised by the Council refers to the legal character of the documents put forward by Finland. According to the Council, the reply to this question "might be based entirely on the Treaty of October 1920 and on the general principles of international law".

In view of this fact the Finnish Government considered that it might expect that the question should be studied by the Court with a view to an advisory opinion, as contemplated by the Council, despite the fact that Finland alone was represented before the Court and that she alone had defended her case before it, whereas the Moscow Government had confined itself to the communication contained in M. Chicherin's telegram.

Having raised the question of competence, the Court, in an "opinion" which does not, however, constitute an advisory opinion in the true sense of the term, laid special stress upon the argument that the opinion for which application was made to the Court relates to a dispute already in existence between Finland and Russia, that the question put to the Court concerns directly the main point of this controversy, and that Russia had not given her consent to the taking of proceedings before the Court.

On the basis of these arguments, and for other reasons "which render it very inexpedient that the Court should attempt to deal with the present question", the Court found it "impossible to give its opinion on a dispute of this kind".

The Court did not accept the Council's view that it might pronounce an opinion based solely on a consideration of the documents submitted to it.

The Court stated that it was not in a position to act in the case of Russia, as the latter had refused to be a party to an enquiry. Since the Court endorses the opinion that the Council's request already implied that the enquiry to be undertaken—that is to say, the investigation of the case from an advisory point of view, as requested by the Council—"would require the consent and co-operation of both parties", I am bound to point out that this interpretation does not comply with the Council's intentions.

The Finnish Government cannot but regret that the Permanent Court of International Justice should have endorsed an opinion which in certain important points is at variance with that of the Council.

The Finnish Government further regrets that the arguments which it submitted to the Court were not examined more searchingly by the latter, and hopes that it will shortly be given an opportunity of stating its views to the Council on certain special questions connected with these arguments.

In view of the conflicting opinions expressed respectively by the Council in its report and by the Court in its reply, the Finnish delegation ventures to hope that the view adopted by the Council will be endorsed by the Assembly of the League, as the existence of contradictory interpretations of many of the fundamental provisions which form the juridical basis of the League might involve more than one of the States Members in serious difficulties.

There can indeed be no doubt as to the general bearing of the question. There is no ground for the argument that international instruments signed by a Power which is not a Member of the League cannot, merely because that Power has chosen to abstain from appearing, be impartially examined by organisations placed under the auspices of the League. Every Member of the League should be in a position to rely, if and when necessary, on support from the League as provided for in the Covenant.

With special reference to Russia, I think it important to point out the change which has recently come about in the relations between that country and the League of Nations. You are aware that under the new Convention on the administration of the Straits, Russia,

as a signatory Power and Contracting Party, will be represented on the Straits Commission.

It is expressly laid down that the Commission shall be placed under the auspices of the League of Nations. The Convention also lays down that, in order to safeguard free navigation in the Straits and the security of the demilitarised zones in case of danger, the Contracting Parties will jointly put into execution any measures which the Council of the League may determine for this purpose.

The Finnish delegation is convinced that it is fully justified in laying stress on the significance of this new development. We must not lose sight of the conclusions which may be inferred from this important fact; they are the logical outcome of circumstances. Russia can no longer argue that she regards herself as a complete stranger to the League of Nations—or even that she is an adversary of it—or that, as she has refused even to recognise its existence, the League should therefore refrain from dealing with any question connected with Russia. Whether this standpoint is accepted or not as regards the past, it must be admitted that it is impossible in future for the League, the Assembly, the Council or the Permanent Court of International Justice merely to declare themselves incompetent to deal with questions concerning a State which has signed a Convention conferring important powers upon the League.

Russia has not of course gone as far as systematic collaboration within the League; still less as far as submitting to the organisations of the League. Neither she nor any other country, however, can escape the consequences of the far-reaching development to which I have referred.

In concluding these few remarks, I desire, on behalf of my Government, to offer thanks once again for the goodwill and laudable intentions of which the Council has given proof in regard to the Carelian question. I would at the same time say that it is my firm conviction that the Council will not fail to find some means of arriving sooner or later at a satisfactory solution of the problem of Eastern Carelia—a problem which ought to be settled under the auspices of the League of Nations.

The Finnish delegation ventures to submit the following draft resolution to the Assembly, and requests that it may be placed on the Agenda and referred to the Sixth Committee:—

The Assembly of the League of Nations,

Considering the question of Eastern Carelia to be a matter of international concern, coming within the sphere of activity of the League of Nations and worthy of its attention:

Invites the Council to have the fundamental problems raised by the question examined, and, in addition, eventually to take any steps, in conformity with the legal system of the League of Nations, which it may consider to be advisable,

And recommends that, in any negotiations which may take place between the Powers and Russia, the existence of international agreements concerning the situation of Eastern Carelia should be borne in mind.

The President:

Translation: Does anybody wish to speak? If not, the motion submitted by the delegate of Finland is referred to the Agenda Committee. (*Assent.*)

Sir James Allen will address the Assembly.

(b) AMENDMENTS TO COVENANT: MOTION BY SIR JAMES ALLEN (NEW ZEALAND).

Sir James Allen (New Zealand):—Mr. President, ladies and gentlemen—My remarks are intended to cover a section of the Supplementary Report of the Council,

A.10 (a), dealing with the question of amendments to the Covenant. I desire to call attention to the fact that at present not one of the amendments to the Covenant which have been agreed to by the Assembly has been fully ratified, and so none of them are in operation. They have not become operative because it is a condition of Article 26 of the Covenant that all the Members of the League represented on the Council have to ratify before the changes become operative.

Now all the various amendments made by the Assembly except the amendments to Article 16 would have been ratified but for the action of Members which have representatives on the Council. For instance, Article 4 would have been in operation to-day but for the action of two Members of the League which are represented on the Council.

The particular article to which I want to refer is Article 6 which deals with the allocation of expenses. This article would be in operation to-day but for the fact that three Members represented on the Council have not yet ratified. Perhaps I may be permitted to mention the names in the hope that the representatives of these three nations will take what steps they can to induce their countries to ratify without delay. The countries to which I refer are Brazil, Italy and Spain.

There are several other amendments to the Covenant which have not been ratified, but I do not want to deal with them except Article 26.

On October 3rd, 1921, the Assembly decided that a paragraph reading as follows should be added after the first paragraph of Article 26:—

“ If the required number of ratifications shall not have been obtained within twenty-two months after the vote of the Assembly, the proposed amendment shall remain without effect.”

As the amendment to Article 26 has not been ratified it would appear that there is no limit of time for the ratification of the amendments to other articles; but if Article 26 were in the near future ratified, and before the ratification of the amendments to other articles (as it contains a limitation of twenty-two months for ratification), the effect would be to stop the ratification of all the other amendments as they were passed by the Assembly on October 3rd, 4th and 5th, 1921. The limitation of twenty-two months having expired early in July, 1923, the proceedings will have to commence *de novo*.

The other fact to which I have to allude is this. Article 26 not being ratified, it is necessary to secure ratification by each of the Members of the League represented on the present Council, namely, ten States. If the amendment to Article 26 had been ratified, it would be necessary only to secure ratification by each of the Members of the League which were represented on the Council when the vote was taken in October, 1921, that is to say, eight States only.

I am concerned particularly and I think that the whole Assembly is, with the ratification of Article 6. The new scale under which we have been asked to contribute during 1923 has no legal status, and the position with respect to the allocation of expenses, as every Member of the League knows, is entirely unsatisfactory. The proposed amendment which I hope may yet be ratified was to the effect that the expenses of the League were to be borne by the Members in the proportion decided by the Assembly. The only legal arrangement at present is that we have to bear these expenses in the proportions of the Universal Postal Union.

I would urge that Article 6 should be ratified at once and before Article 26.

I move the following resolution:—

That Part 17 (Amendments to the Covenant of the League) of the “Annex to the Supplementary Report to the Fourth Assembly of the League on the Work of

the Council and the Secretariat" (Document A.10 (a), Annex, 1923) be referred to the First Committee, and that :

(1) The Committee be asked to report upon the difficulty which has arisen in securing amendments to the Covenant owing to the provision in Article 26 of the Covenant that "amendments to this Covenant will take effect when ratified by the Members of the League whose representatives compose the Council...";

(2) The Committee be asked to suggest a solution.

I want in conclusion to say a few words on the position as between the Assembly and the Council, especially with regard to the ratification of amendments to the Covenant. The present position is that one Member represented on the Council of the League may defy the wishes of the fifty-two other Members of the Assembly. I venture to say that such a position cannot be tolerated and that some solution to the difficulty must be found, so that the will of the Assembly may be brought into execution without a block such as the one to which I have alluded.

I move the above resolution and I hope that the Assembly will agree to it.

The President :

Translation : If there is no objection, the motion submitted by Sir James Allen will be referred to the First Committee. (*Assent.*)

Jonkheer Loudon will address the Assembly.

Jonkheer Loudon (Netherlands) :

Translation : Mr. President, ladies and gentlemen—My first desire in coming before you is to associate myself with the well-deserved tribute which has been paid to the Council. A share in this tribute is, I think, due to the Secretariat, the staff of which during the past year has again given ample evidence of its ability to carry out its work, despite the fact that that work is steadily increasing in volume and becoming more arduous.

The execution of the Assembly's decisions—the work of the League as seen by the world—is in the main the work of the Council, the Secretariat and the technical organisations, among which I may single out for special mention the International Labour Organisation and the Registry of the Permanent Court of International Justice. The Council's report, which we are now discussing, reflects the noteworthy activities of those organisations, and it is only fair that we should recognise this fact and give them due praise.

I would beg your attention for a few moments, not in order to dwell on the report or on the work referred to in it but to remind you—as has already been done in a most competent manner—of a fact which some of our Governments appear to forget. If the League of Nations is to carry out its work, the sacred Covenant on which it rests must be a perfect instrument. The Covenant, which is our fundamental law—a law without parallel in the world, being as it is the Constitution of a body embracing 53 independent countries—was established three years ago. It was realised at the outset that a statute of such recent creation would have to be tested, and that, in the course of the first few years, a certain number of its provisions would be bound to undergo amendment.

Three years have passed. At the second Assembly, in particular, we agreed upon certain amendments which were necessary in order to make our constitution, the Covenant, a living thing. These amendments were not formulated without due consideration. They were subjected to the closest examination and searching discussion. The Assembly was unanimous in recognising the necessity for them. It was assumed that they would be promptly ratified. But what has actually

happened? Out of fourteen amendments to the Covenant not a single one has yet been put into force, because the requisite number of ratifications has not yet been notified.

I have in mind more particularly the amendment to Article 4, which lays down the essential regulations regarding the election of non-permanent Members of the Council, and, in particular, the regulations regarding their period of membership and conditions of re-eligibility.

Thirty-seven Members of the League of Nations had signed the relevant protocol before the end of 1921, and twenty-nine have ratified it. Last year it was hoped that the necessary number of ratifications would shortly be secured, but up to the present the amendment has remained a dead-letter, because, though the majority has been obtained, as required by Article 26, the vote of one of the Members of the Council is not included. Consequently the only guide which we shall possess when the non-permanent Members of the Council are elected will be the recommendations adopted last year.

Then there are the three amendments to Article 6, regarding the scale for the allocation of expenses. These are of supreme importance to enable the League of Nations to carry on its work in a regular manner.

It was realised even in 1920 that the scale of the Universal Postal Union, which was prescribed in paragraph 5 of Article 6, could not be accepted; hence the amendments of 1921, which aim at leaving the Assembly free to fix the scale itself. So far these three amendments have also remained a dead-letter, for the same reasons as those which I mentioned in connection with the amendment to Article 4. Consequently the question of the receipts of the League of Nations is still somewhat vague, though, as Lord Balfour said, the future difficulties of the League of Nations may be financial rather than political in character.

I will not dwell upon the amendments to Articles 12, 13 and 15, although they refer to additions which have become absolutely necessary in consequence of the establishment of the Permanent Court of International Justice.

Then there are the four amendments to Article 16 relating to the economic weapon; these are also of capital importance in connection with the draft Treaty of Mutual Guarantee, which is at present under discussion in the Third Committee.

A further proposal has been made this very year in connection with the first of these four amendments which have not yet been ratified. Nothing is more difficult than to discuss in this way new amendments to amendments already adopted but which have not yet been ratified.

Will the result once more be a negative one? If so, what is the use of our discussing amendments to the Covenant at all?

The same difficulty also applies to the amendments to Article 26, which were put forward in 1921. Their tenor is that a three-quarters majority should be required in future for the adoption of amendments, and that a period of twenty-two months should be fixed within which the requisite ratifications must be secured, that is to say, the ratification by those Members of the League which were Members of the Council when the amendment was passed and those of the majority of States represented in the Assembly. The average number of States which signed these amendments was thirty-six, and the average number of ratifications twenty-six.

The question which I have ventured to raise is, in my opinion, so serious that we cannot allow the years to pass by without raising the matter in this Assembly and thus bringing home to all Governments without exception the imperative need for action.

I cannot but think the Assembly will share my view, and I would therefore beg the delegations to approach their Governments in the matter, in order

that all Governments may duly ratify decisions which are considered by the Assembly to be essential, and that the amendments to the Covenant may thus be put into force without further delay. (*Applause.*)

The President :

Translation : As there are no more speakers on my list for to-day, I propose that the discussion of the general report on the work of the Council should be continued at our next meeting. (*Assent.*)

33.—PERMANENT COURT OF INTERNATIONAL JUSTICE: TELEGRAM FROM M. PESSOA.

The President :

Translation : I have received from that distinguished statesman and jurist, M. Pessoa, a telegram thanking the Assembly for electing him a member of the Permanent Court of International Justice, and notifying his acceptance of this appointment.

If there is no objection, our next meeting will be held at 11 a.m. to-morrow. (*Assent.*)

(*The Assembly rose at 12.50 p.m.*)

NINTH PLENARY MEETING

Saturday, September 15th, 1923, at 11 a.m.

President : M. DE LA TORRIENTE Y PERAZA.

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34. CREDENTIALS OF DELEGATE OF LUXEMBURG.
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34.—CREDENTIALS OF DELEGATE OF LUXEMBURG: REPORT OF COMMITTEE ON CREDENTIALS.

The President :

Translation : M. de Aguero y Bethancourt, Chairman of the Committee on Credentials, will make a report.

M. de Aguero y Bethancourt (Cuba) :

Translation : Ladies and gentlemen—The Committee on Credentials has examined the documents submitted

to it by Dr. Tony Lefort, accredited as representative of the Grand-Duchy of Luxemburg.

The Committee, having found his credentials in good and proper form, recommends that Dr. Tony Lefort be admitted as representative of the Grand-Duchy of Luxemburg.

The President :

Translation : If there is no objection, I shall consider the conclusions of the report of the Committee on Credentials as adopted. (*Assent.*)

35.—TRAFFIC IN WOMEN AND CHILDREN: REPORT OF FIFTH COMMITTEE: RESOLUTIONS.

The President :

Translation : In accordance with the Agenda, we will now proceed to discuss the conclusions of the report of the Fifth Committee on the work of the Advisory Committee on the Traffic in Women and Children.

I call upon the Chairman and the Rapporteur of the Fifth Committee to take their places on the platform.

(*M. de Mello-Franco, Chairman, and M. Sokal, Rapporteur, of the Fifth Committee, took their places on the platform.*)

M. Sokal (Poland), Rapporteur, read the report of the Fifth Committee (Annex 6; A. 75. 1923. IV) and concluded as follows:—

Translation : Ladies and gentlemen—I wish to thank you for the kind attention with which you have listened to the report of the Fifth Committee. On behalf of the Committee, I ask you to adopt the report and the conclusions contained therein.

I should like, with your permission, to add a few observations on my own behalf.

Although I am not now speaking in the name of the Fifth Committee, I am none the less sure that my colleagues on the Committee will approve my remarks.

What I have to say can be summed up in a few words.

The question of the traffic in women and children, and all the other social questions considered by the Fifth Committee, may appear to some to be problems of secondary importance, especially in comparison with the grave political problem which is occupying our thoughts.

Anyone who attentively follows the work of the League of Nations cannot fail to realise the importance of what it is doing in connection with social and moral problems, having regard, moreover, to the fact that these problems are closely, if indirectly, bound up with political problems.

There is no need to prove that the League of Nations is empowered to deal with these questions, as they are specifically mentioned in Article 23 of the Covenant. But it is the urgent duty of the League to take in hand this work, directed as it is towards a lofty aim—the improvement of human nature.

This aim is explicitly set forth in the Preamble to the Covenant, which is based on the necessity for the maintenance of justice and of respect for all treaty obligations. It is defined in still clearer terms in Part XIII of the Peace Treaty, in the Preamble to the provisions for the International Organisation of Labour. Part XIII of the Treaty, as you know, begins with the following premises: "Whereas the League of Nations has for its object the establishment of universal peace, and such peace can be established only if it is based upon social justice" and so on.

It is evident, then, that moral and social problems are not only within the competence of the League of Nations but merit special attention on the part of its Members, especially in the times in which we are now living. (*Applause.*)

The President :

Translation : M. Chao-Hsin Chu will address the Assembly.

M. Chao-Hsin Chu (China) : I agree in principle with the proposals set forth in the report on the traffic in women and children which has been presented by the Fifth Committee, of which I have the honour of being a member, but I wish to make a few observations on this subject.

When taking part in the general discussion in the Fifth Committee, I proposed that women detectives should be employed instead of women police in those countries in which the women police system has not yet been introduced. The reason is obvious. When we speak of women police it is understood that they are in uniform, not in plain clothes.

The League can only make a suggestion to every Government to employ women police for dealing with the traffic in women and children; the League cannot compel any Government to modify its police system if that Government considers that the inclusion of women in the police system is not yet practical.

Particularly in Oriental countries it would not be easy to employ a woman and dress her up in dignified uniform like a policeman and give her the duty of patrolling the streets. But a detective bureau in connection with the police department can easily have women in its employ.

The employment of women in the Customs Service has been considered practical and successful in almost every country. The same thing should be true as regards the police service.

For that reason I ventured to suggest to the Fifth Committee that a few words should be added to the resolution referring to the employment of women

police. The words I suggested were: "Women police either in uniform or in plain clothes". When I say this I do not mean that I am not satisfied with the resolution which has been finally included in the report of the Fifth Committee, nor have I the slightest idea of rejecting the present resolution.

I only wish to avail myself of this opportunity to make my own view clear in order to throw a little light on the question, and in the hope that when the proposal is put in force by the various Governments, the employment of women wearing plain clothes for dealing with the traffic in women and children will be regarded as a compliance with the request of the League, and I hope that that compliance will yield the desired result.

The problem of the traffic in women and children should be solved as a whole. To that end it is very important for all the Governments to abolish the system of the State licence of prostitution. Prostitution is intolerable under modern civilisation. Never should it be a source of revenue to any Government! An honest Government should not live upon such a source of revenue, which does great harm to its people and lowers its prestige. I therefore appeal to all the Members of the Assembly to bear this end in view when considering the whole problem, in order that prostitution may some day be entirely done away with in all civilised countries.

It is a great satisfaction to have representatives of the United States of America on the Advisory Committee on the Traffic in Women and Children. This problem is of world-wide concern, and without American co-operation and support I doubt whether anything could be done to put an end to the traffic, or at any rate whether procedure could be universally applied.

Furthermore, it is very essential for all countries, whether Members of the League or, like the United States of America and others, non-Members, to ratify the 1921 Convention. I understand that up to the present only thirteen Governments have ratified the Convention. I sincerely hope that all the Members of the Assembly will recommend their Governments to ratify the 1921 Convention without hesitation or delay.

In order to bring about a satisfactory solution of the whole problem, I advocate that the fullest use be made of international co-operation. We, as Members of the League, should always do our best to arouse international public opinion against the traffic in women and children with a view to obtaining universal and effective support in every corner of the world.

To this end, publicity and propaganda should be employed to the greatest possible extent. I appeal, therefore, to the Press of the whole world to report as fully as it can all the deliberations of the Assembly on this subject, in order to form, in the interests of humanity, a solid body of public opinion against this evil. (*Applause.*)

The President :

Translation : Dame Edith Lyttelton, delegate of the British Empire, will address the Assembly.

(*Dame Edith Lyttelton mounted the platform amidst the applause of the Assembly.*)

Dame Edith Lyttelton (British Empire) : It has been thought well that a woman should speak on this question, because it is generally considered to be a woman's question; but that is not the reason why I am speaking to you to-day and why I am asking you to be kind enough to listen to me.

I feel that this question is every bit as much a man's question as a woman's question, but there is no doubt that women suffer more and are more the victims of this particular social evil than men. For that

reason, I am in hearty agreement with all the work of the Advisory Committee and with the suggestions that it has made.

We all of us know, of course, that unless we can get international agreement on these matters, we cannot progress very far with the reforms which we wish to see carried out, and it is a matter of deep regret, therefore, that so many States have not yet ratified the Convention. I do beg everyone here to urge the Governments which have not yet signed to do so quickly, because this reform, which is so badly needed, is being held up partly because of the delay in ratification.

Now, if you will bear with me for a moment, I want to speak about one portion of the report which is of particular interest to me—I mean the question of the employment of women police. It is well known, of course, that anything to do with internal administration cannot possibly form the subject of a resolution by this Assembly but can only be a recommendation. It is irresistible to a woman, however, who has the opportunity of speaking to the representatives of so many nations, to say a word about this subject, because all women care immensely for it. If you will allow me, I should like to put before you one or two reasons why women throughout the world are pressing for the employment of women in the police forces.

It is not, as many people have pretended, a mere morbid feminism on the part of women, or simply a kind of vanity, a desire to be seen in uniform, a desire to do the same things as men; it is because they know women can exercise a very great preventive influence.

Ask anyone who has had anything to do with the patrolling of open spaces, and they will tell you that the mere presence of a woman very often produces an extraordinarily good effect. It is rather difficult to understand why this should be so, but I think even the most degraded of both our sexes have at the bottom of their souls some kind of reverence for women as women, probably due to the influence of their mothers, and that, I think, operates. No doubt everyone here will remember one of the old Greek plays in which Hippolytus, who is dying, has a vision of the goddess whom he has always loved and adored, and begs her to depart, because he does not wish a person he reveres to see him in the degradation of death. It is something like that.

I do not mean for a moment that all police women in uniform are goddesses, but they certainly do have a deterrent effect. Believe me, women know how best to deal with women; they have a certain flair for character. There was a witty saying once by a Frenchman which ran like this: "Toutes les femmes connaissent parfaitement leur mari, mais les maris ne connaissent jamais leur femme." I do not say that this is absolutely true, but I think there is some truth in it, and if women understand men like that, surely it must be admitted that they understand women. They know their own sex; they know the temptations and the difficulties of women and they know also that, underlying all, there is their essential goodness of character, their extraordinary devotion, their power of self-sacrifice and, above all, their power of patient silent endurance.

No one knows that better than women, and for this reason we women of the world ask for permission for women to deal with these subjects. If all of you would go back to your Governments and ask all of them to try the appointment of women police, a different influence would be found spreading throughout the world with regard to this question; it would be well worth the necessary expenditure, which is not very great, and it would produce infinitely better results than many people imagine.

There is another portion of the report which, of course, any woman welcomes with immense enthusiasm, namely, the idea of an expert enquiry. On these subjects, what we want is more light. The time has long

gone by when these subjects were not spoken of in the presence of women. We know that if we want to have more decency in the world we must be prepared to speak and to debate these subjects openly; this is far the best and truest way in which to effect improvement.

I sometimes think, when we pray in church for God to have pity on all prisoners and captives, of all the prisoners and captives among women who are held in bad houses. Really and truly, the ordinary prisons in which people are put, although they are bad, are not so bad as a spiritual prison. The lot of a spiritual prisoner is far worse than that of an ordinary prisoner.

There is nothing worse than taking the ordinary healthy passions and desires of humanity and indulging them, because it produces a kind of prison in which human beings get caught and held inevitably. This kind of prison is far worse than any other. I am not so stupid as to imagine that legislation can alter all this; of course it cannot. But legislation can help, and it is because I feel that the suggestions made in the report before us are assisting humanity in its struggle out of the slime of sensuality that I support the report with all my heart. Thank you very much, ladies and gentlemen. (*Prolonged applause.*)

The President :

Translation : Madame Bugge-Wicksell, delegate of Sweden, will address the Assembly.

(*Mme. Bugge-Wicksell mounted the platform amidst the applause of the Assembly.*)

Madame Bugge-Wicksell (Sweden) : Mr. President, ladies and gentlemen—In speaking upon this question, I am not acting in the first place as a representative of the Swedish Government. I am happy to be able to state that in my country this whole question is essentially an academic one. We have abolished public regulation of prostitution, we have no licensed houses and we know of no traffic in women and children. Nevertheless, the Swedish Government has always been willing to assist as much as it could in the struggle against this infamous trade. Sweden has ratified the Conventions of 1904 and 1910 and it sent representatives to the Conference here at Geneva held under the auspices of the League in 1921; I was one of the Swedish delegates. Sweden has signed the Convention that was the outcome of this Conference, and it will certainly ratify it as soon as the necessary steps have been taken to bring the Swedish legislation into conformity with the Convention.

But if the traffic in women and children is no actual problem in Sweden, it still exists in other countries, and, as a woman, interested in the fate of other women, I most urgently plead that everything possible be done to check it. The mere thought that young women can be induced against their will and by sheer deceit and force to live in the greatest degradation conceivable for a woman is enough to make an old mother and grandmother, as I am, tremble with sorrow and indignation.

Indeed, it is essential that in the legislation of all countries the strongest possible stigma should be attached to this terrible crime, and not only to the fulfilled crime but also to attempts and certain preparatory acts; it is essential that special protection should be awarded to young women when they emigrate from their own countries and immigrate into other States; it is essential to give to reliable women detectives or police the right to penetrate into licensed houses wherever such houses exist in order to help such victims as want to be helped.

I thank the Rapporteur for the unceasing interest he has shown in this subject. I quite agree with what

has been said by the other speakers, and I support the resolutions given in the report and adopted unanimously by the Fifth Committee.

The President :

Translation : M. Reynald, delegate of France, will address the Assembly.

(M. Reynald mounted the platform amidst the applause of the Assembly.)

M. Reynald (France) :

Translation : Ladies and gentlemen — I should like in my turn to congratulate our colleague M. Sokal on his report.

The question of the traffic in women and children is one which has constantly occupied the attention of the League since its foundation ; it is, indeed, one of the matters entrusted to its special care by the Covenant itself.

The Fifth Committee's report, which we have before us to-day, was not merely accepted by that Committee but—and I should like to emphasise the point—it was accepted unanimously, and it will, I hope, obtain the same unanimous vote in the Assembly.

Under the wise and friendly guidance of M. de Mello-Franco, our Chairman, and Professor Gilbert Murray, our Vice-Chairman, the debates of the Fifth Committee took place in an atmosphere of calm and liberal-mindedness, and I beg to pay this tribute to the manner in which our work was carried out.

Unanimity may occasionally be dangerous, for assemblies sometimes only reach unanimity by resorting to vague formulas the very elasticity of which allows any interpretation to be placed upon them later. But I should like to emphasise the fact that in this case unanimity was obtained after a close and detailed discussion, in the course of which every point was fully considered, and it was possible to reconcile every liberal sentiment with the respect due to the laws of each individual State.

Now that this happy result has been reached, it may be confessed that in previous years there have on several occasions been differences of opinion. A whole host of generous sentiments invaded the field originally marked out for discussion and thus seemed somewhat to enlarge the limits defined by the Covenant.

Earnest minds, feminist associations, were zealously occupied not only with the traffic in women and children but also with the task of finding remedies for prostitution and its regulation ; and this was the danger-spot.

I should like to say that certain States—France, in particular, as well as others, such as Italy and Greece (to mention only a few)—consider this to be a question solely for the legislation of each individual country and that the competence of the League does not extend to this matter.

As was stated in the Committee, we in France hold the view that the regulation of prostitution offers certain guarantees from the point of view of public health, order and morality, and had we pushed our doctrine to its logical conclusion we might perhaps have declined to yield on this point.

However, the Council made a very simple distinction in the resolutions which came before it ; it retained in the form of resolutions everything dealing solely with the traffic in women and children, and classified purely as information everything dealing with prostitution and its regulation. In view of this we felt bound, in the common interest and in order to attain unanimity, to make certain concessions on this point.

We were anxious to point out that, although France considered that the manner in which she dealt with the question was a domestic matter and could not be brought into discussion, she nevertheless wished to

proclaim to the world that she fully appreciated the generous sentiments of persons dealing with these questions, that she had no desire to conceal her actions and that, consequently, information or enquiries would be welcomed.

Thus, despite these conflicting opinions, we arrived at the common conclusion that anything tending to restore the dignity of womanhood is both necessary and useful, for we consider that respect for women is an essential factor both in family life and in the progress of mankind. *(Applause.)*

The President :

Translation : Does anyone else wish to speak ? M. Chao-Hsin Chu's amendment is withdrawn but will appear in the records of our proceedings.

The discussion is closed.

The vote will now be taken on the six resolutions proposed by the Fifth Committee and which read as follows :—

I. *The Assembly decides to adopt as its own the resolutions and measures taken by the Council in regard to the report of the Advisory Committee on the Traffic in Women and Children, and expresses its great appreciation of the work accomplished by the Advisory Committee and by the Council.*

II. *The attention of the Assembly having been called to the circumstances in which women are alleged to enter licensed houses, it recommends to the Council that the Advisory Committee on the Traffic in Women and Children be asked to consider whether it would not be desirable to draw the attention of all States in which a system of State regulation is still in force to this question and to invite these States to make an enquiry and to take special precautions to ensure the protection and secure the full liberty of women inmates of licensed houses.*

III. *The Assembly endorses the recommendation of the Advisory Committee as to the employment of women police among the police engaged in dealing with prostitution.*

IV. *The Assembly notes the remarks of the Advisory Committee on the subject of the signature and ratification of the Convention of 1921 ; it expresses its regret that so few States have as yet ratified the Convention, and it recommends the Council to invite those States which have not adhered to or ratified the Convention to be good enough to inform the League as to the circumstances which have prevented their doing so.*

V. *The Assembly attaches great importance to the proposed expert enquiry already referred to and expresses the earnest hope that the Governments concerned will give the fullest facilities to the experts in any investigation which they may think it necessary to undertake on the spot.*

VI. *The Assembly understands that the provisions of the International Convention on the subject of the traffic in women and children are not at present applied to certain mandated territories administered by Members of the League. It recommends the Council to request the Permanent Mandates Commission to give further consideration to this question.*

(The resolutions were put to the vote and unanimously adopted.)

36.—WORK OF ASSEMBLY AND COMMITTEES: COMMUNICATION BY THE PRESIDENT.

The President :

Translation : Before dealing with the second item on the Agenda, I should like to inform the Assembly

that at its meeting this morning the General Committee of the Assembly decided to fix the next meeting of the Assembly for Wednesday next at 11 a.m.

The General Committee proposes that the First, Second and Third Committees should meet on Monday afternoon and Tuesday morning.

The Fourth, Fifth and Sixth Committees will thus be able to meet on Monday morning and Tuesday afternoon. (*Assent.*)

37.—ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL: REFERENCE TO THE FIRST COMMITTEE OF THE QUESTION OF RULES OF PROCEDURE CONCERNING THE ELECTION.

The President :

Translation : The General Committee decided to invite the First Committee to examine the Rules of Procedure with regard to the election of the non-permanent Members of the Council.

It is also suggested that the First Committee should, if it thought fit, study this question in conjunction with the Sixth Committee. (*Assent.*)

38.—EASTERN CARELIA: REPORT OF AGENDA COMMITTEE ON MOTION BY M. ERICH (FINLAND).

The President :

Translation : I have received the following report from the Agenda Committee:—

"The Committee appointed to give an opinion as to the placing on the Agenda of the proposals submitted to the Assembly in the course of the present session has noted the following draft resolution put forward by Finland:—

'The Assembly of the League of Nations, considering the question of Eastern Carelia to be a matter of international concern coming within the sphere of activity of the League of Nations and worthy of its attention:

'Invites the Council to have the fundamental problems raised by the question examined and, in addition, eventually to take any steps, in conformity with the legal system of the League of Nations, which it may consider to be advisable;

'And recommends that, in any negotiations which may take place between the Powers and Russia, the existence of international agreements concerning the situation of Eastern Carelia should be borne in mind.'

"The Committee recommends that this proposal, which refers to a matter already dealt with in the report on the work of the Council, should be placed on the Agenda, and that the Assembly should refer it to the Sixth Committee."

If no one wishes to speak, I consider the proposal adopted. (*Assent.*)

39.—HEALTH ORGANISATION: REPORT OF SECOND COMMITTEE: RESOLUTIONS.

The President :

Translation : The next item on the Agenda is the discussion of the report of the Second Committee on the work of the Health Organisation of the League (Annex 7; A. 74, 1923).

I call upon the Maharajah of Nawanagar, Chairman of the Second Committee, and M. Adatci, the Rapporteur, to take their places on the platform.

(*The Maharajah of Nawanagar and M. Adatci took their places on the platform.*)

The President :

Translation : M. Adatci, Rapporteur, will address the Assembly.

M. Adatci (Japan), Rapporteur :

Translation : Mr. President, ladies and gentlemen—It is already late, and my report is a long one. I must therefore beg the indulgence of the Assembly. Though the question under discussion may appear to be of no particular importance, I take the very deepest interest in it, and I cannot but believe that all my colleagues will be equally interested in the report.

The first part of my report deals with what has been done in the past, and there is therefore no need for me to read it; it is already late, and you have the text before you.

I will ask you to be good enough to turn to Section VII of the report. This is the really essential part and deals with the draft constitution of the League's Health Organisation as submitted to the Assembly.

M. Adatci read Section VII of his report and continued as follows:—

The Italian delegation points out the desirability of the League of Nations confining its activities as regards technical matters to promoting and facilitating the conclusion of agreements and international conventions, and, in cases where disputes arise, to acting as an organ of conciliation for its Members.

The delegation also points out that an international health organisation is already in existence in Paris and that the creation of other organisations with the same object can serve no useful purpose, more especially as the necessity of reducing the expenditure of the League of Nations has been universally recognised.

Consequently, the Italian delegation would have preferred to see an agreement between the League of Nations and the Paris Office international d'hygiène with a view to ensuring close collaboration between the two institutions whereby the Office international would become the technical adviser of the League of Nations in health matters; it would have been possible to reinforce the Office by the addition of new members appointed by the League of Nations to form part of the Committee of the Office, and by further contributions to cover its expenditure, subscribed by countries which, although Members of the League of Nations, have no part in the Office international d'hygiène publique. The Office could also have been placed under the direction of the League of Nations under the terms of Article 24 of the Covenant, and it would thus have been possible for the League to avoid the creation of another international health organisation.

Having regard, however, to the present state of affairs and the fact that the new organisation, as

proposed by the Committee summoned by the League of Nations, has been approved by the majority of the Members of the League, the Italian delegation withdraws all formal opposition.

It merely takes note of the statement made by the Rapporteur to the effect that the new organisation will not entail further pecuniary sacrifices for the League of Nations, and recommends that the duties of the proposed organisation should be confined, as regards the League, to those falling strictly within the limits of the Covenant and in complete harmony with the spirit of the League of Nations.

M. Adatci then read the resolutions submitted by the Second Committee, and concluded as follows:—

The resolution contained in the supplementary note has been modified since the report was printed, and now reads as follows:—

The Assembly is of the opinion that it would be desirable for all health reports presented to the Permanent Mandates Commission to be communicated to the Health Committee of the League of Nations for any recommendations it may desire to make to the Permanent Mandates Commission.

The President :

Translation: M. Strasburger, delegate of Poland, will address the Assembly.

M. Strasburger (Poland) :

Translation: Mr. President, ladies and gentlemen—The special Mixed Committee constituted in accordance with the resolution adopted by the Council on June 30th of this year drew up a draft scheme for the health organisation of the League which was fully discussed by the Second Committee under the chairmanship of the representative of India, His Highness the Maharajah of Nawanagar, the basis of the discussion being the admirable report of the Japanese delegate, M. Adatci.

This draft scheme was accepted by the Second Committee as being in complete accordance with Articles 23 (f) and 24 of the Covenant, and corresponding in every respect to the suggestions of the first Assembly of the League with regard to the Health Organisation. Further, it has been noted that the creation of this new organisation will not involve any increase in the League budget.

I think, therefore, that the Assembly can congratulate itself on the results achieved by the Mixed Committee which has made such a close study of the problem submitted to it.

The Polish delegation accepts unreservedly the decisions of the Second Committee, and does so with the most lively satisfaction, confident that the new organisation of the League will obtain results as fruitful for mankind as those already achieved in health matters by the organisations of the League.

This work has been clearly summarised in M. Adatci's report, which gives a good idea of what has been achieved. It explains briefly the work done to collect epidemiological data and information, the enquiries made in the Eastern Mediterranean, the Black Sea ports, tropical Africa, and the ports of the Far East; it also refers to what has been done for practical research, for strengthening the medical personnel in Russia and the adjacent States, and in connection with the drawing up of health conventions. All these activities have been carried out by the Health Section of the Secretariat, under the direction of Dr. Rajchman, and by other organisations of the League.

I should more particularly like to remind my colleagues from Eastern Europe of the magnificent work done by the Epidemic Commission, which has given invaluable aid to the technical services of the

Governments concerned in organising the European sanitary zone which it was decided to establish at the Warsaw Health Conference.

Dr. Norman White, the distinguished head of this Commission, was good enough, in his report to the Second Committee, to pay a tribute to the Polish Public Health Services for their efforts on the Russian frontier in combating the diseases which threatened to invade not only Poland, but the whole of Europe.

I should like to thank him for this compliment to my country, and can assure him that the Polish authorities, appointed under conditions of great difficulty during the first years of our independence, are particularly grateful for praise from so highly qualified an authority as the head of the Epidemic Commission. Poland realises that without the moral, scientific and financial aid and support furnished by the League, this humanitarian work could not have been so successful.

In conclusion, I should like to pay a tribute to all those doctors who, from a sense of duty and sacrifice, left their homes and families to fight, on the extreme frontier of European civilisation, in the cause, not of domination and hatred, but of the ideal of international co-operation for philanthropic ends. Their remains lie in Polish soil, commemorated by monuments at Vilna and Baranowiczy—Frenchmen, Englishmen, Russians, Poles and Americans, all fighters for the ideas of the League of Nations.

The Polish delegation begs to associate itself with all the resolutions proposed by the Rapporteur. (*Applause.*)

The President :

Translation: M. Ador, delegate of Switzerland, will address the Assembly.

(M. Ador mounted the platform amidst the applause of the Assembly.)

M. Ador (Switzerland) :

Translation: Mr. President, ladies and gentlemen—It is already late and I will not keep you long, more particularly as the considerations which I intended to submit have already been developed, with greater ability than I could show, by M. Adatci, the Rapporteur of the Second Committee, and by the delegate of Poland, in the speech which he has just made.

I am only here to tell you, in my capacity as a member of the Second Committee, of the keen interest with which we have followed the work of this great health organisation, which, in my opinion, is at the present moment one of the most important departments of the League of Nations.

I would particularly recommend to your attention the service rendered by the Epidemic Commission. No terms can, I think, be too strong in which to describe the happy results of its activities not only in Poland, Russia and Esthonia, but more particularly in Greece, as we were reminded the other day in such eloquent terms by our distinguished colleague, M. Politis.

But for the prompt and effective action taken by the Epidemic Commission in Greece, in conjunction with all the organisations at its disposal and its devoted staff, which threw itself whole-heartedly into the work, we should, perhaps, have been confronted with a vast and lamentable outbreak of epidemics, as a result of the influx of enormous numbers of refugees fleeing from Asia Minor to Greece.

Fortunately this calamity was avoided, thanks to the energetic measures taken by the Greek health authorities acting in collaboration with our Epidemic Commission.

In these circumstances I feel justified in stating that the Commission should be maintained, so that, in the event of an emergency requiring prompt action, it

may be in a position to take immediate and energetic measures by means of the resources—feeble as they are—which it has at its command.

The Second Committee did not wish to encroach upon the jurisdiction of the Fourth Committee. It is well aware that the present time calls for economy. There are, however, certain tasks which must be performed; there are circumstances in which action must be energetic, prompt and efficacious.

The Committee has therefore been content to adopt a very modest recommendation, namely, that the Council should be authorised to allocate, from the amount at its disposal in the Budget under the heading of unforeseen expenditure, such sums as may be necessary to enable the Epidemic Commission to take action whenever required.

We are assured that the Fourth Committee would raise no objection to a sum being allocated, under certain conditions, out of the 500,000 francs at the disposal of the Council.

I also wish to draw the special attention of the Assembly to the great benefits derived from the system of the interchange of health personnel.

This constitutes a most useful and interesting form of co-operation between the various scientific and medical staffs. Doctors in all countries have much to gain from these frequent journeys abroad. They are able by this means to become acquainted with health organisations, hospitals, and medical and sanitary services, thus profiting by the interchanges between the different countries.

The interchanges which have already begun have been a great success, and we learn with great satisfaction that they are to be continued. I may state, in particular, that it is intended to have an interchange of health personnel in Switzerland in 1924.

Finally, I would venture, in my capacity as President of the International Red Cross Committee, to state, as regards the Epidemic Commission and the Health Committee, that the sections of the Red Cross belonging to the Committee of which I am President are prepared to place themselves entirely at the disposal of the League on any occasion on which their assistance might be desired, and that they will gladly support the useful work of the Epidemic Commission of the League, whether through their local representatives or by any other means at their disposal. (*Applause.*)

The President :

Translation: M. Freire d'Andrade will address the Assembly.

M. Freire d'Andrade (Portugal) :

Translation: I have the honour to be not only a delegate to the League of Nations but also a member of the Permanent Mandates Commission. In the latter capacity I feel called upon to say a few words on the admirable report submitted to you by M. Adatci.

I fully approve the report and its conclusions. If the report is adopted as it stands, it will certainly obviate all difficulties of a juridical nature which might arise in the relations between the Permanent Mandates Commission and the Health Committee.

The Covenant lays down that the reports of the Mandatory Powers should be examined and considered by the Permanent Mandates Commission. The latter is then to submit its observations to the Council, and the Council will itself forward them, together with its own comments, to the Mandatory Powers, which will take due note of them. The Covenant does not, however, contain a stipulation that the Mandatory Powers are bound to consider observations submitted to them by organisations of the League other than the Mandates Commission.

I would also state that I am fully convinced that the

Mandates Commission would be prepared to consider any expert advice which might facilitate its work.

I am therefore whole-heartedly of opinion that the report, and in particular the conclusions submitted by M. Adatci, should be approved, together with the recent modifications of one of these conclusions. Thanks to his tact and skill, M. Adatci has obviated the difficulties which might subsequently have arisen between the Mandates Commission and the Health Organisation. He has forestalled all possible causes of friction, and this will contribute to the success of the joint work of the two committees and of the work of the League.

The President :

Translation: Does anyone wish to speak? If not, the discussion is closed.

I will now put to the vote the three resolutions submitted by the Second Committee, which read as follows:—

I. *The Assembly endorses without reserve the conclusions contained in the report presented to it by the Second Committee (Document A. 74, 1923, III), signifying approval both of the work of the Health Organisation of the League of Nations during the past year and of its plans for the future.*

The Assembly approves the decision of the Council to authorise the Health Committee to examine the Dutch proposal regarding free "pratique" to ships, as well as the proposal of the Second Committee to submit to the Health Committee the study of the means by which the results of the investigation on the standardisation of sera can be utilised by the Governments. In conformity with the desire expressed by the third Assembly, the Health Committee will consult, if necessary, the other Technical Organisations of the League and will submit to the Council the results of its deliberations.

II. *The Assembly,*

Realising that the establishment of a single international health organisation, much as it is to be desired, is not attainable in present circumstances, considers that, in the treatment of health questions, it is important to avoid the uncertainty and confusion to which the existence of two distinct organisations may give rise, and consequently that it is advisable to establish close relations between the health services of the League of Nations and the Office international d'hygiène publique by the constitution of the Health Organisation of the League on lines which correspond to those of the other technical services of the League;

Having considered the resolution adopted by the third Assembly on September 15th, 1922, which reads as follows: "that it may be possible, before the meeting of the fourth Assembly, to prepare, on the basis and according to the principles adopted by the first Assembly for the Technical Organisations of the League, the constitution of a permanent Health Organisation which will be submitted to the fourth Assembly for approval. This Organisation will undertake the duties laid down in the resolutions of the first and second Assemblies";

And having considered the report of the Special Mixed Commission of the Office international d'hygiène publique and the Health Committee of the League of Nations, and in view of the fact that the Council has approved the scheme drafted by the Commission and has decided that it be submitted for examination to the Assembly:

Decides to approve the scheme submitted by the Special Mixed Commission for the Health Organisation of the League of Nations and asks the Council to take all necessary steps to make this agreement effective, and.

Calls the attention of the Council to the views expressed in the report of the Second Committee to the fourth Assembly.

III. The Assembly is of the opinion that it would be desirable for all health reports presented to the Permanent Mandates Commission to be communicated to the Health Committee of the League of Nations for any recommendations it may desire to make to the Permanent Mandates Commission.

(The resolutions were put to the vote and unanimously adopted.)

The Assembly rose at 1.15 p.m.

TENTH PLENARY MEETING

Friday, September 21st, 1923, at 11 a.m.

President: M. DE LA TORRIENTE Y PERAZA.

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40. PROTECTION OF MINORITIES IN ESTHONIA.
Withdrawal of the question from Agenda.
41. TRAVELLING FACILITIES FOR GROUPS OF BOY SCOUTS AND GIRL GUIDES.
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42. REPORT ON WORK OF COUNCIL AND SECRETARIAT.
Continuation of the discussion.
Speeches by M. Motta (Switzerland), Jonkheer Loudon (Netherlands), Viscount Ishii (Japan), Dr. Nansen (Norway), M. Zahle (Denmark).
43. MANDATES.
Motion by Dr. Nansen (Norway).

(On entering the Hall, M. Léon Bourgeois, Head of the French delegation, was greeted by the Assembly with loud and prolonged applause.)

40.—PROTECTION OF MINORITIES IN ESTHONIA: WITHDRAWAL OF THE QUESTION FROM THE AGENDA.

The President:

Translation: I have received the following letter from the Secretary-General:—

“The Council, at its meeting on September 17th, 1923, having adopted a resolution and taken note of a declaration by M. Pusta, relating to the protection of minorities in Esthonia, decided to suggest to the Assembly that the question of the protection of minorities in Esthonia should be withdrawn from the Agenda.”

(Assent.)

41.— TRAVELLING FACILITIES FOR GROUPS OF BOY SCOUTS AND GIRL GUIDES: PRO- POSAL OF THE CHILIAN DELEGATION: REFERENCE TO AGENDA COMMITTEE.

The President:

Translation: The Chilian delegation has given me notice of the following proposal:—

“I have the honour to propose the following motion to the Assembly and to request it to be so good as to decide that the motion should be referred to the Agenda Committee:

‘The Assembly of the League of Nations,

‘Considering that the International Boy Scout and Girl Guide Movement, which promotes closer relations and a better understanding between the younger generations of all nations, is rendering very real and valuable services in the cause of world peace,

‘Considering that it would be desirable to afford all possible assistance to the Boy Scouts International Bureau, and that its registered national Associations should receive aid and support in carrying out their international task,

‘Invites the Governments of the States Members of the League to give favourable consideration, as regards travel by land or water and passport and Customs regulations, to the question of the facilities they can provide for those groups of Boy Scouts and Girl Guides which belong to a registered national Boy Scouts’ Association of any State Member of the League, when such groups are travelling from the territory of one State Member to or through the territory of another State Member.’”

If there is no objection, this proposal will be referred to the Agenda Committee. (Assent.)

42.—REPORT ON WORK OF COUNCIL AND SECRETARIAT: CONTINUATION OF THE DISCUSSION.

The President:

Translation: According to the Agenda, we have now to discuss the report of the Council to the fourth

Assembly (Annexes 5 and 5 (a); A.10 and A.10 (a), 1923).

The delegate of Switzerland will address the Assembly.

(*M. Motta mounted the platform amidst the applause of the Assembly.*)

M. Motta (Switzerland):

Translation: Mr. President, ladies and gentlemen—The discussion on the work of the Council and the Secretariat provides a very convenient opportunity for attempting, as it were, to draw up the annual balance-sheet of the League of Nations. Each of us may have recommendations to submit, criticisms to make, hopes or fears to express. I am greatly tempted to give this Assembly a general review of the assets and liabilities—that is, the practical achievements and the probably inevitable omissions—of the League of Nations.

The temptation is very great, in view of the fact that we came to Geneva with minds filled with anxiety, that we have lately passed through days of conflicting emotions, and that we are separating at the end of the month, strengthened, I hope, in the conviction that the League of Nations fulfils one of the most essential needs of international life.

I will resist this temptation, however, and will refrain from approaching these controversial topics. They are graven on your minds, but my confidence in the Council is too great for me to doubt for one moment that the Council also is preoccupied by the same questions which are troubling us. When the time comes, the Council will take the necessary steps to offer the League's assistance in solving the problems on which depend the well-being and prosperity of Europe and of the whole world.

There is solidarity now among all the nations. All problems—political, economic, monetary—are interdependent; and we all have a foreboding that there are still in Europe many volcanoes which are not yet extinct. When reflecting on certain momentous questions, we must all experience the feeling that the several countries which we represent might well have cause to say "*res tua agitur*" ("*your interests also are at stake*").

But my remarks will not be ambitious in their scope. I was particularly struck by the observations of the delegates of New Zealand and the Netherlands with regard to the amendments to the Covenant. It is a singular fact that although the Assembly of the League of Nations adopted unanimously, with only a few abstentions, several amendments in regard to important questions such as the allocation of expenses, the constitution of the Council, the economic weapon, and the procedure for amending the Covenant of the League of Nations, not one of these amendments has as yet come into force. We are all familiar with the reasons, and I have no wish to dwell on them.

One article is, in my opinion, of essential and fundamental importance. I refer to Article 26, which lays down the procedure to be followed in regard to amendments to the Covenant. So long as we have not ratified this article, which was adopted here in a spirit of general conciliation, we shall find ourselves in a blind alley from which it is impossible to escape. Some interpret this article in the sense that, in the absence of unanimity, no reform can be carried out. Others interpret it in the sense that amendments may be made on a majority vote of the Assembly. Thus, Article 26, as amended, represents a compromise.

It is vain to expect that the Governments concerned will ratify it in the course of the present Assembly, but I may at least venture to hope that when we assemble here next year, this fundamental amendment will happily have become an accomplished fact.

When reading the report of the Council I was struck by one further point, in the section on the Permanent Court of International Justice. Experience has shown

that, up to the present, the work of this organisation has, apparently, developed along the lines, not of delivering judgments, in the strict sense of the phrase, but rather of giving advisory opinions. Far be it from me to belittle, in any way whatever, the importance of this duty of the Permanent Court of International Justice. I consider it to be of capital importance nevertheless, I cannot help thinking that the most obvious and most decisive duty of this supreme institution should be to deliver judgment.

I wish, however, to draw attention to one fact of great historic significance. During the past year, one of the awards given by the Permanent Court of International Justice—I refer to the "*Wimbledon*" case—is the first instance in which a dispute, of major international importance, between victors and vanquished has been settled by an organisation of international justice. (*Loud applause.*)

The great defect—I should say rather the great omission—with regard to this institution is the failure to make its jurisdiction compulsory. Thirty-five States have ratified the protocol of the Court, but only fifteen have adopted the optional clause which makes its jurisdiction compulsory.

Among the great States which have ratified this provision, I should especially like to congratulate that great South American country, Brazil, which, by once more confirming the idea of compulsory arbitration, has shown herself faithful to her traditions. (*Applause.*)

Not one among the great Powers which have a permanent seat on the Council has as yet adhered to this clause. I can understand their attitude; I appreciate all their difficulties. The great stumbling-block in the matter of arbitration has always been the fact that countries have an instinctive reluctance to making over to others, however trustworthy, capable and impartial they may be, a decision upon questions which concern the independence, honour and vital interests of the nation.

It is only natural that a State which is conscious of its strength should desire to secure its rights by the use of material force. Surely, however, it would be an act of true moral greatness if a great Power were to accept such compulsory jurisdiction. The workers in town and country in every State would welcome this evidence of a liberal spirit, and they would everywhere be joined by the foremost men in the intellectual world.

The great Power which is the first to answer to this call will, it appears to me, give proof that it is imbued, more deeply than all others, with the new spirit of the League of Nations, for the League is nothing if not the consecration of a new international spirit and a new international order. (*Applause.*)

The dispute which has so occupied our thoughts is now happily settled, thanks to the laudable and sincere efforts of the parties concerned, thanks to the legitimate and rapid action taken by the Conference of Ambassadors, thanks also to the co-operation, in a spirit of beneficence and conciliation, of the Council of the League of Nations.

The dispute has been adjusted between the States directly concerned and is now a matter of history. I have no wish to discuss it. I would add that in my humble opinion the Assembly would be acting wisely, usefully, and in accordance with the spirit and methods of the Covenant, were it to abstain from interfering to-day in a question which we should consider as finally settled.

In spite of the desire expressed by the first delegate of the Netherlands, the Council has not, for reasons of expediency, thought fit to make any communication to the Assembly. At its public meeting held yesterday it announced to the whole world—and consequently to the Assembly also—that it would, with the assistance of jurists, consider certain questions relating to the

interpretation of the Covenant and to international law in general.

It is enough for the Assembly to note this decision with gratitude. We are all extremely pleased to observe that it was a unanimous decision. It is a matter of vital interest for us all that the questions referred to should be discussed in a calm and dispassionate atmosphere, untroubled by any connection with the concrete case which gave rise to them.

In this matter I have the fullest confidence in the distinguished authorities on the Council.

I would, however, ask your attention for a few moments on a question of general interest—I refer to the responsibility of States for political crimes and offences committed on their territory. The question is one of particular interest to my country, which has ever afforded the classic example of the right of asylum. I would recommend this question to the particular attention of the Council, which will no doubt duly inform the Assembly of the result of its mature and careful consideration of the matter.

Meanwhile, I will confine myself to three observations:

First, the question should not be regarded as prejudiced by the solution found, as a result of certain peculiar and contingent circumstances, with the assent of the parties concerned in the case of the dispute to which I refer.

Secondly, the question remains in theory completely open.

Thirdly, it is the general duty of a State which is placed under the necessity of punishing a political offence to see that its judicial institutions take their regular course, without, however, infringing either the principle of the separation of the judicial and the executive or of the independence of judges, where these sacred principles have been confirmed by law and by the constitution.

Before resuming my seat, I should like to pronounce a *sursum corda*—a word of comfort and hope.

When the Covenant was sanctioned, no one was able to form any exact idea as to how it would work; experience alone could give us that. While we have all perhaps been cured of certain vain illusions, we have all been fortified in our abiding faith.

I have often wondered what would be the state of the world to-day, and especially of Europe, if there were no League of Nations. The League has steadily continued to reveal itself, and has again this year revealed itself with especial brilliance as a moral force.

Its material means are slight and will never become effective until the League becomes universal, as we all hope it will. But the League has conceived a grand ideal, and I do not think I am wrong in saying that the Council has felt that the Assembly, its faithful and vigilant collaborator, is the instrument through which the moral force of public opinion may best make itself felt. (*Loud applause.*)

I have observed with intense interest how devoid of foundation are the criticisms directed against the publicity of League debates. No doubt diplomacy will always feel the necessity for discretion. It will always be easier to pave the way for certain solutions by means of private conversations, by a spirit of conciliation, and by a frank and open exchange of views, but there comes a moment when responsibilities must be assumed and determined before the whole world, and this is achieved by the publicity of debates. Publicity is certainly the most potent form of expression of the spirit of the League.

For my own part I am more and more convinced that, had the League existed in 1914, statesmen would have met together; they would have talked together, and the thought of justice and of peace would have impressed itself upon their minds; the horror of war would have stayed the murderous hands impatient to unchain it and the scourge of the world would have been averted. The greatest result of the war, I am

convinced, is that it gave birth to the League of Nations amidst the blood of heroes and the tears of women.

I render homage to this great conception in the person of its apostle, the distinguished statesman who, until to-day, has been detained far from us, but whom we welcome this morning with unanimous applause—M. Léon Bourgeois. (*Loud and prolonged applause.*)

I cannot close my speech without evoking one of the highest ideals of mankind, which has been so nobly expressed by one of the greatest poets of modern Italy, Carducci. May I speak in my mother tongue? In the words of Carducci:

“Ella è un'idea fulgente di giustizia e di pietà.
Io benedico chi per lei cadea, io benedico chi per lei vivrà.”

(*Loud and prolonged applause.*)

The President :

Translation: Jonkheer Loudon, delegate of the Netherlands, will address the Assembly.

Jonkheer Loudon (Netherlands) :

Translation: Mr. President, ladies and gentlemen—I only wish to express my complete agreement with the words just spoken by M. Motta on the subject of the decision taken by the Council yesterday.

I think that the whole League may congratulate itself on the satisfactory issue of the international incident which has occupied the minds of us all for several days. This incident is now closed, thanks to the efforts of both parties and to the happy co-operation of the Council of the League and the Conference of Ambassadors.

The Council felt that for the moment it should confine itself to offering its valuable assistance to the Conference of Ambassadors.

There still remains the question of principle and of the interpretation of the Covenant—a question of the greatest interest for all Members of the League. The Council decided yesterday that it would, with legal assistance, immediately enter upon a thorough investigation of these delicate problems.

I venture to express the hope that the result of this investigation—which might be examined here at a later date—will be communicated without delay to the Members of the League.

In making these remarks I am, I believe, voicing the feelings of most of my colleagues in the Assembly. (*Applause.*)

The President :]

Translation: Viscount Ishii, delegate of Japan, Member of the Council, will address the Assembly.

(*Viscount Ishii mounted the platform amidst the applause of the Assembly.*)

Viscount Ishii (Japan, Acting President of the Council) :—Ladies and gentlemen—I think it would be right, after the remarks which we have just heard, for me to say a few words, in my capacity as President of the Council, concerning the decisions which the Council has taken.

There is no need for me to say anything about the dispute between Italy and Greece, for that dispute has happily been terminated; many members of the Assembly heard at the meeting of the Council last Monday a full statement on this subject, and had the satisfaction of hearing from the Council and from both the parties that the incident was definitely closed.

During the course of recent discussions, as everyone knows, questions, both as to the interpretation of the

Covenant, especially with regard to the powers of the Council, and as to certain points of international law, have arisen.

I am very happy to be able to inform the Assembly that, in taking its decision yesterday, the Council was in complete and unanimous agreement that these questions, concerning which doubts have been raised, are of great importance, and that they must be submitted to close examination and decision. There was no difference of opinion on this point between the members of the Council.

We all recognised the importance of these issues and the necessity of having them settled in a way that should remove all doubt concerning them for the future. I am sure that the Assembly will share the satisfaction which the members of the Council have felt that they were able to reach this decision by a unanimous vote.

The Council reserves for further consideration the exact procedure which should be adopted for securing the juridical examination and decision that are required. It must be evident to the Assembly that this question of procedure is one of considerable importance. In the first place, the questions to which answers are required must be framed with extreme care. In the second place, we must take every precaution to ensure that we obtain the most authoritative opinion possible. For this reason the members of the Council, as I think very properly, decided to consult together again and to call in the advice of legal experts before framing the questions and settling the other matters of procedure.

As to what the procedure adopted will be, I can, of course, only offer you a tentative opinion. On this point the Council feels bound to reserve its decision until the questions have been formulated. It may well be that the questions are of a nature which can suitably be submitted to the Permanent Court of International Justice, or it may be found that some other body could more appropriately deal with them; I think, however, that the Assembly will agree that it would be premature, and indeed unwise, for the Council to make any declaration at the present moment, on what is, after all, a final stage of procedure. On the substantive questions we have, as I have already said, come to a decision, and have done so with unanimity. (*Applause.*)

The President :

Translation: Dr. Nansen, delegate of Norway, will address the Assembly.

(Dr. Nansen mounted the platform amidst the applause of the Assembly.)

Dr. Nansen (Norway):—Mr. President, ladies and gentlemen—Before I begin the remarks which it is my intention to make on the report of the Council which is before us, I think I ought to say a few words in support of what has already been said, on behalf of the Assembly as a whole, concerning the matter on which the President of the Council has been good enough to make a most important statement.

As regards the dispute with which the Council, during the last few weeks, has been dealing, I am sure that the members of the Assembly wish to express their deep satisfaction that the difficulty has been satisfactorily settled and their warm support for the course which the Council has taken.

As regards the other great question which the Council discussed yesterday morning, I think it right to add a further word. I am certain that the whole Assembly will learn with equal satisfaction that the Council has also reached agreement concerning the grave juridical questions which have been raised during the course of its discussions, and that these questions are to be submitted for judicial examination and decision in the near future.

It is very satisfactory that the Council should have been able to separate these questions from the dispute which has been so fortunately closed, for they are questions of a general order affecting every Member of the League and are important for its constitution and its future.

I am very glad to hear that the Council has reached agreement concerning the substance of this matter, and I also express the hope that it will be possible for it to let us know before the end of the Assembly the procedure it has adopted in order to secure the judicial decisions which are required. I hope it will not be improper if I also express the hope that the Council will feel it right to submit these questions to the Permanent Court of International Justice, as the President of the Council tentatively suggests. I am sure the decisions of the Court will create a greater confidence in the mind of the world at large than any other possible decision.

I will now pass to the remarks which I have to make on the report on the work of the Council. It is now three years since I first had the privilege of attending these Assemblies, of taking part in these deliberations, and of taking my share of responsibility in the Assembly's decisions. During those years I have also had the honour of performing various duties on behalf of the League, notably in connection with the return of the prisoners captured during the late war and with the flight of refugees from Russia, from Asia Minor, and elsewhere, duties with which I was entrusted by the Council of the League and by this Assembly. Thus I have been intimately connected with the work which the League has carried out from the start and, therefore, I think I can, without undue presumption, claim to speak with a certain degree of authority conferred by experience.

In the report on the work of the Council and of the Secretariat during the last year, which we now have before us, there is much of interest and much of very great importance. Generally speaking, I think it is the most important report which has yet been submitted to us, and it clearly demonstrates that the work of the League is increasing in all directions.

The outstanding achievement of the League during the last twelve months is undoubtedly the financial reconstruction of Austria. We have already heard the Second Committee's report on this question, and it certainly needs no further comment on my part. But let me just point out this striking fact, that for three years many countries endeavoured, by isolated action, to help Austria. Unfortunately, they completely failed. For one year the League has been doing it, and has been completely successful. It is very sad that the first method for relieving Austria entailed a cost of £75,000,000 sterling with a result which was nil. The second method, the League's method, has cost nil and has resulted in the restoration of Austria. This great result shows what can be accomplished when the Council faces, with determination and courage, even such a supremely difficult problem, bristling with financial, economic and political difficulties of every sort. (*Applause.*)

Another matter of great importance is the administration of the territory of the Saar Basin. As everybody knows, the Treaty of Versailles, while granting France certain definite rights over the coal mines which form the chief asset of the Saar territory, rights which must always be most scrupulously respected, decreed at the same time that the Government of that territory should be placed in the hands of the League of Nations, which should administer it by means of a Governing Commission, responsible, in respect of all its actions, to the Council of the League.

The League is thus responsible to the world for the administration of the Saar Basin. It is, however, but natural that the duties of the Governing Commission, involving as they do, on the one hand, care for the well-being of the inhabitants, and on the other, respect

for the unquestioned rights of a foreign Power, are often difficult and arduous to perform.

The report before us shows that the Council last July conducted a careful enquiry into the administration of the Governing Commission, which proves that the Council is fully alive to its responsibilities. While wisely recognising that the actual work of government must be left to those responsible persons on the spot having the necessary knowledge of the local conditions, the Council solemnly declares that it is itself the final authority. This declaration is at once a guarantee that the government of the Saar Basin will be conducted in accordance with the principles of the League of Nations and a safeguard against any abuse of power or mistake in administration, which, however improbable, may in future arise.

May I add one word, and that is that we are all convinced that the Council in electing the members of the Governing Commission will pay due attention to the interests of the inhabitants of the Saar.

I also wish to mention the section of the report which deals with mandates, in order that I may formally move that the important reports of the Mandates Commission be referred to the Sixth Committee for discussion as they were last year. I will therefore hand in to the President a resolution on the subject, and will reserve for a later debate my other remarks and the expression of my high appreciation of the work which the Mandates Commission has done.

There are many subjects in connection with the humanitarian and social activities of the League with which I would like to deal, such as the Refugee work, the work of the Opium Committee, of the Committee for the Suppression of the Traffic in Women and Children, of the Committee for the Protection of Women and Children in the Near East, and the Health Organisation. They have all made great progress. They have all shown how the machinery of the League may be used for promoting international co-operation in every sphere in which there are real international interests to be served. These questions will all come up for debate in connection with subsequent reports, but I should like to take the opportunity of emphasising two special points.

The first is the extreme importance of the signature and ratification by every Member of the League of the Opium Convention of 1912. If only it could be brought into force by every Government before the next Assembly, a great step would have been taken to wipe out this abominable trade. The second point I wish to emphasise is the extreme efficiency of the Health Organisation and of the Epidemic Commission in everything they have undertaken. I have had occasion to know their work in Russia, in Constantinople, and in Greece. They have rendered great service, and I am sure they will render still greater service, in the future, to the League and to the world.

Let us see that the League of Nations spreads its wings more and more over the whole earth. It has built up a machine capable of dealing with difficult questions belonging to every branch of human activity. The League is steadily growing in strength. It is now fully strong enough to face crises with which, in the beginning of its history four years ago, it would not have been able to deal.

If, however, we look at the situation in Europe, there are dangers which, ever since the war, have prevented the establishment of real peace and have threatened the good understanding between peoples. They are making reconstruction impossible, they are fundamental to the whole European position, and they are the underlying cause of the economic crisis; yet the Council has not been able to do anything to assist in removing these dangers. This must be a matter for deep regret.

There is undoubtedly good reason why the Council should not deal with these problems, and the Assembly

last year, when urging the Council to give the matter its attention, indicated that only with the consent of all interested Governments could a proper solution be reached. Nevertheless, it must be deeply regretted that the Governments have not felt themselves able to make use of the machinery of the League. We all know that the eyes of the world are directed towards this Assembly in these days. We all know that the world is impatiently waiting for a ray of light from Geneva in the depressing and, I am sorry to say, increasing darkness.

It would be impossible not to mention this great and grave problem here. May I, as a representative of one of the countries which took no part in the late war, urge the necessity of dealing with the problem? We, the neutral countries in Europe, took no active part in the war, but we have suffered very bitterly from some of the processes by which it was waged. We, the smaller nations and not directly concerned, have taken no part in the negotiations of the settlement, but we have suffered, and are suffering very severely from the course which these negotiations have taken and from their failure, in one of the most important questions, to reach a definite and final settlement.

I feel that the time has arrived when we are entitled and in duty bound to express our point of view, and ask that consideration should be given to our interests. Let me do my best to remove any possibility of misunderstanding arising from the fact that I press this question upon the attention of the Assembly. I have no wish, and I believe that those in the same position as myself have no wish, to say or do anything which would in the least interfere with the payment of reparations to the Allies, particularly to France and Belgium, on whose soil the war was mainly waged.

I myself do not for a moment question either the legal right, the moral basis, or the practical expediency of reparations. Even apart from all questions of the origins or results of the war, or the provisions of the Treaty of Peace, there is this important consideration. In the great struggle, in which the greater part of Europe fought out its quarrels from 1914 to 1918 every country, including France, spent its life and its treasure. For that vast cost no compensation can be given or is by any country demanded, but the soil on which the struggle was mainly waged was that of France, and the devastation caused by the war remains. It is surely contrary to natural justice that the loss caused by devastation in the area of the common conflict should fall upon that particular country among the belligerents on whose territory it happened to be.

Far from questioning it, therefore, I desire at the outset to affirm my belief in the justice and necessity of reparation being made. Let me add that I saw the devastated regions of France, some months after the Armistice. Words are too feeble to describe the impression then made, to see those lovely, fertile regions of beautiful France transformed into a desert, with its prosperous towns and neat villages reduced to heaps of stones and reeking ruins. One was filled with horror, with a raging feeling at the absurdity of war.

On my way to this Assembly, I travelled through the same regions again. How entirely different was the sight. I was filled with admiration of the remarkable reconstructive work which the industrious French people have done there and still are doing—admiration of the manner in which, from first to last, they have overcome dangers and difficulties which might well have proved overwhelming for a less indomitable race, and at the same time I realised what enormous expenditure this work involves. In my humble opinion, therefore, France and Belgium have the priority claim for compensation.

Let me, however, point out, in the second place, that we smaller countries, which are not directly concerned, are interested, not in any particular form

I venture to dwell on the danger to which the League is exposing itself by paying insufficient attention to these manifestations of mistrust and pessimism. It is in this hall, however, that the conscience of the League should find expression.

No doubt some people will say that I am making myself the apostle of these unduly pessimistic beliefs. But no; I merely wish to draw your attention to their existence. The greater our confidence in the League, the stronger will be our belief in its future; and the greater the importance of realising the imperfections under which it is still labouring, the greater the necessity for remedying them.

With this new mentality of which I have spoken, the League of Nations will rapidly be able to attain its lofty aim, and to become in actual truth the instrument of international liberty and justice which was the dream of its founders. (*Loud applause.*)

The President :

Translation: There are still several speakers on the list for the debate. As it is now late, we might perhaps hear them at the next meeting. (*Assent.*)

43.—MANDATES: MOTION BY DR. NANSEN (NORWAY).

The President :

Translation: I now ask you to vote on the following motion proposed by Dr. Nansen regarding mandates:—

“The Assembly,
“Having taken note of the documents with regard to mandates communicated by the Council and Permanent Mandates Commission, expresses its satisfaction at the great progress made in this matter since the last Assembly, and decides to refer the question of mandates to the appropriate Committee for closer consideration.”

If there is no objection, I declare this proposal adopted. (*Assent.*)

The next meeting will take place at 10.45 a.m. to-morrow.

The Assembly rose at 1.15 p.m.

ELEVENTH PLENARY MEETING

Saturday, September, 22nd, 1923, at 10.45 a.m.

President: M. DE LA TORRIENTE Y PERAZA.

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44.—REPORT ON WORK OF COUNCIL AND SECRETARIAT: CONCLUSION OF THE DISCUSSION.

The President :

Translation: According to the Agenda, we should continue the discussion on the report on the work of

the Council (Annexes 5 and 5 (a); A. 10 and A. 10 (a), 1923).

The Maharajah of Nawanagar will address the Assembly.

(*The Maharajah of Nawanagar mounted the platform amidst the applause of the Assembly.*)

The Maharajah of Nawanagar (India):—Ladies and gentlemen—When our distinguished colleague, M. Motta, opened the proceedings yesterday with his very eloquent and admirable speech, I hoped to have said a few words in support of his attitude, but the chances of debate removed the opportunity till to-day.

As the representative of India, speaking on behalf of my delegation, permit me to express my heartfelt sympathy with the great Italian nation in the righteous indignation to which she was moved by such an atrocious crime. All our sympathy was with Italy in her grief, but here in the friendly atmosphere of this Assembly which never fails to give us harmony, concord and self-control, Italy, I am sure, will generously allow us to emphasise before the world our belief in the complete competence of the League to insist on the peaceful settlement of disputes arising between its Members. When I say “insist” I do not mean the wilful insistence of a would-be superior Power, but the brotherly insistence of friendship and equality inspired by a principle.

In so far as any one Member of the League fails to live up to the principles of the Covenant, just so far does the League fail to be its true self; for the League can succeed only by the faithfulness of each one of its

Members. We are all imperfect, every one of us. Let the nation without sin cast the first stone. But as a corporate body, let us not forswear one jot of our principles even if we forgive one another unto seventy times seven. We must not fear to declare our faith. The League does not set out to impose settlements—that is not its nature—but to promote agreements. When time gives us complete calmness and allows excited ignorance to subside, all the world will see how wise the Council has been and how forbearing, in the end, all parties have proved themselves.

Under the old order, before this family of nations came into being the right of reprisal no doubt held good; but under the new order which every one of us has accepted, and to which every one of us has set his signature, we hope that this is all changed. The League of Nations is the citadel of a new age if so be that we choose to make it such. Above all, we must be, we must see ourselves as, and we must cause the world to find in us the citadel of refuge of the small nations.

Unless the strong nations, the big brothers, set the example of forbearance, unless they themselves show a willingness to sacrifice their pride of power, then the League of Nations will be a sham; then our hopes will fade—must fade—and the light on the horizon will die and the familiar and accusing darkness will return. Nations, no less than men, cannot serve both the God of righteousness and the mammon of pride. India declares that she takes her stand by the new order so far as lies in her power, and that she accepts the principles and practice of the Covenant without reservation.

In 1920, after tears and tribulation, when the full significance of the war spirit still cast its evil shadow over us, then with both hands we seized the promise of the Covenant. We stretched out both hands and welcomed it: We gave our pledge with *both* hands.

The greatest of the Mogul Emperors of India, Aurungzebe, whose pride equalled his greatness and compassed his fall, once had occasion to invite to his Court the young Maharajah of Jaipur, in order to settle a difference. When the Maharajah entered the great throne-room at Delhi, alone and unattended, passing through the ranks of the courtiers and chieftains of the Emperor, Aurungzebe rose to greet him and took between his own two hands the outstretched hand of his guest. "Now, Maharajah", said the Emperor, "I hold you within my hands, and here are my warriors. What will you do?" Nothing daunted, the brave Rajput said, "Sire, when a man takes a woman by one hand he gives her his all. You, the Emperor of India, take me with both hands. What have I to fear?"

One word more. Do not let us forget that we have now the Permanent Court of International Justice to adjust our differences, great and small. We can await with confidence their decision on this last incident, so let us bury the inhuman past and resuscitate the bright dawn of 1920, which saw the birth of this Assembly, the latest and the last hope of civilisation and humanity. (*Prolonged applause.*)

The President:

Translation: Professor Gilbert Murray, delegate of South Africa, will address the Assembly.

(*Professor Gilbert Murray mounted the platform amidst the applause of the Assembly.*)

Professor Gilbert Murray (South Africa):—Mr. President, ladies and gentlemen—I should like first of all to endorse every word of that most eloquent and wise speech just delivered by my friend the Maharajah Jam Saheb of Nawanagar.

Besides that, I want to hand in a merely formal resolution, referring to the Sixth Committee the new rules about the minorities procedure, not that they

may be disturbed, but that they may at least be studied.

This, however, is not the main subject on which I am venturing to ask for the attention of the Assembly. I come to support the plea made by Dr. Nansen in that wide-flung survey of the dangers threatening the world which he gave you yesterday.

Until this Greco-Italian dispute was suddenly thrown across the path of the League, I think we can all agree that there was one thought in all our minds, there was one dread that filled the international horizon—I mean the failure to settle the question of reparation, and the grave international consequences that have resulted and are still resulting from this failure.

What right, you may ask, have I to speak? But what is this Assembly for, if not to evoke, on the lips even of the humblest of its Members, the public opinion of the world on the great questions about which the world is stirred?

I remember some words spoken by one who was almost the chief founder of this League, President Wilson. They were words spoken at the Conference at Versailles when he was introducing the Treaty. He explained that they were gathered together to make settlements which were not ordinary settlements between Governments, but settlements which must, if they were to succeed, win the approval of the peoples of the world: he then used these remarkable words: "The settlements we make now will be judged in regions where the eye of governments does not penetrate, but where the heart of humanity beats".

I represent no government, but I believe that my Prime Minister, now upon the high seas, would support every word that I am saying. I only wish that he were here to say it with far greater authority and greater power of language than I.

I do, however, represent for the moment, however unworthily, a vast constituency whose support I believe to be absolutely vital for the successful continuance of the League. I speak definitely for the League of Nations Union in England with its 300,000 subscribing members, and its vast clientèle of sympathisers beyond that number. I speak for all the League of Nations Societies, all the voluntary societies which support the League of Nations' principle throughout Europe, and which have passed again and again in identical terms the resolution that I am going to indicate to you, which was first drawn up by the French Society and afterwards accepted by every existing Society. The terms of that resolution were repeated only two months ago by the Federation of all those Societies in Vienna, in a resolution proposed by the British and jointly seconded by France and Germany.

Behind my plea I think I have, if we may judge from appearances here, the support of all the neutral countries. I have also with me in every country the sympathy of a large mass of the people and, perhaps, in a few countries of an actual majority of the population; and in all the nations taken together I have the support of a vast majority of the thinking people of the world.

In every individual nation, national feeling is naturally predominant, but the nationalists of different countries cannot be added together: the nationalists of one country are bitterly opposed to the nationalists of every other. But those of every nation who stand behind me now speak with the same voice.

Above all, I have been asked to recommend to the Assembly (and I hold it here in my hand) an appeal to the League of Nations signed by two names well known throughout Europe, by a Frenchman and a Dutchman, M. Jouhaux and M. Oudegeest. The appeal is issued by the International Federation of Trade Unions comprising over 20,000,000 of organised workingmen. You will say to me that trade union figures are often a little fictitious and unreal. That is quite true. But in this case the figures are real. I have followed this movement and I know that this demand

has grown from the people, from the working-men in every country of which I have knowledge.

The memorial that I have here would certainly be acclaimed with enthusiasm by every working-class gathering in England. I would venture to ask the delegates of the League to notice that this is the first time that the organised working-men of Europe have ever turned to the League with an appeal. They have come to us for the first time to show their confidence in us, and we cannot lightly repel that confidence and turn it away.

I think that the constituency which this mass of feeling represents is one which is worthy of being heard and one whose wishes cannot be despised or lightly rejected. To put it shortly, the appeal is an appeal to the League of Nations to beg the Governments of the interested Powers here represented, especially the Governments of Great Britain and France, either to bring to a settlement this question which poisons the air of Europe, or, if they cannot bring it to a settlement themselves, to lay it before the League.

It is strange that no settlement has yet been reached. Most of the ground has been covered, and the differences that exist seem to be very small. It is agreed everywhere that the countries which have been ravaged must have full reparation as far as reparation is ever possible for damage done by the enemy during the war. It is fully agreed that France and Belgium must have priority, and it is agreed that France must have security. Are we not labouring day by day to provide her with security, so far as security is possible on this side of the grave? It is agreed that there must be some arrangement regarding inter-governmental debts.

I speak not only entirely without feeling for one country or against another; I speak without any wish whatsoever to suggest any attack or any blame. I realise, as we all must, the immense difficulty of these delicate international affairs. I know personally many members of the present British Government and of past British Governments. I know they are men of sensitive conscience, of lofty aims, of very great public ability. I have every reason to believe that men of the same character are directing the affairs of France.

I wish to say no word of blame or attack. But surely it is true that the League of Nations can say to both Governments: "You have failed in four years to set this hideous problem at rest, while the world that you lead and govern is made miserable by it and is filled with dread for the future. In these four years the League has grappled again and again with the great scourges that devastate mankind. The League has repatriated hundreds of thousands of prisoners of war, it has stopped epidemics, it has saved refugees, it has fed famine-stricken multitudes, it has checked the traffic in white slaves. Of what profit are all these great services to mankind if this single unsolved problem still hangs over us, and is still leading Europe towards calamity and despair?" (Applause.)

The League may say to those Governments: "You have not solved the problem; you have not allowed others to help you". The League last year, in a unanimous resolution, showed its willingness to take its part in solving these problems. That momentous offer was made. It fell, without making a ripple in the pond, without making an echo in the world around. There has been no answer.

Has the League any right to offer its assistance? I do not for a moment assert any legal right. It is quite true, anyone may say, that this dispute does not lead to war—certainly not yet. But it has produced a situation, or allowed a situation to grow up, in which two nations have found it necessary to increase their air forces, owing to anxiety confessedly connected by each with fear of the other. That is not a matter to be regarded with absolute indifference either by the nations themselves or by the League; as regards the future, I cannot but feel that the danger of war is real.

I know in history no surer method of sowing the seeds of war than the occupation of the territory of any nation by a foreign Power. (Applause.) But I lay no stress on the possible danger of war.

There is another danger—nay, more. There is the present actuality of the slow, grinding destruction under our eyes of a great and populous nation. No League like this, no League with our principles, no ordinary collection of men with human feelings, can watch that process without anxiety and dismay.

I will use no sensational language about the extinction of European civilisation or the like, but I believe it is perfectly accurate to say that one result of this unsolved question seems likely to be the lowering of the standard of human life throughout Europe for generations to come. If German workmen are perpetually to work overtime for a few pence a day in order to keep body and soul together, it will not long be possible for French, or British, or Dutch, or Swiss workmen to receive six and eight times that amount for a day of eight hours. I doubt if any greater misery can be inflicted on the populations of the world than this slow, grinding reduction of the standard of life.

We all hate German imperialism. We all have hated it and all hate it still; we have all suffered from it. We have lost those we love. We have suffered and seen others suffer. We shall be haunted all our lives by hideous memories. I understand fully what anyone means who says that Germany is a guilty nation, and that guilty nations must suffer.

If actions are judged by their effects, I can imagine no greater crime than to let loose upon the world an aggressive war. And this, I fully believe, after considering to the best of my ability the evidence I have been able to examine is what the rulers of Imperial Germany did. And now the Germans are suffering for the crimes of their rulers. That is a normal process; it is common enough in history. Yet I am not happy about these wide-flung executions of vindictive justice which fall heaviest upon the innocent, which fall heaviest upon those who had no power, and therefore had no guilt—upon workmen and women and little children. If that is the extreme of justice, then indeed *Summum jus summa injuria*.

It is usual for people who speak on the line I have taken to say they have no sympathy with Germany, no pity for the Germans. I cannot lay claim to that magisterial hardness of heart.

I am reminded in this matter of a most strange memorandum which I once read, addressed to James I. of England by his Chief Justice on the practice of the burning alive in public of heretics and sorcerers. The Chief Justice wanted that burning alive in public to be abolished, not that the heretics and sorcerers did not deserve it; they deserved that and infinitely more, if the Chief Justice could only have applied something more. The trouble lay, so he said, in the human weakness of the common people who saw the victim burn. They saw the heretic's agony, and they forgot all about his heresy. They threw themselves, so the memorandum tells us, in tears upon their knees, begging the heretic's forgiveness for the torture which they could not prevent; and what should have been the condign punishment of a criminal was transformed into the crowning of a martyr.

If Germany goes the way of Russia, if the German famine is followed by British famine, and by famines in other nations too, if the Great War proves to be the prelude, not of the peace for which you and I and all of us are asking, but of another war more ghastly, I hardly know in that case what arguments as to delicate questions or subtle diplomacy can save the credit either of the League of Nations or of the great Governments which compose it before the bar of history, before the judgment of God, before the silent tribunal of their own conscience. (Applause.)

In the name of the ideals we profess, in the name of that common humanity which is deeper than all ideals,

let us again do as we did last year on the motion of the delegate of France, let us again ask the Governments of the Great Powers either to find a speedy settlement of this question or else to hand it over for settlement to the League of Nations. (*Loud applause.*)

MINORITIES: MOTION BY PROFESSOR GILBERT MURRAY (SOUTH AFRICA): REFERENCE TO SIXTH COMMITTEE.

The President :

Translation: I will now read the draft resolution submitted by Professor Gilbert Murray :—

“ The Assembly refers to the Sixth Committee for consideration the question of the procedure in dealing with the protection of minorities mentioned in Chapter 8, Section IV, of the Supplementary Report on the Work of the Council and the Secretariat.”

If there is no opposition, I shall consider this draft resolution adopted. (*Assent.*)

Baron Marks von Wuertemberg, delegate of Sweden, will address the Assembly.

Baron Marks von Wuertemberg (Sweden) :

Translation: Mr. President, ladies and gentlemen—The debate on the work of the Council is approaching its close, and I will not keep you long.

Most of those who have already spoken have expressed somewhat optimistic views as to the League and its future. It is a very good thing to be an optimist, and generally a source of great strength also. But situations arise when it is more useful, and indeed essential, to speak the naked truth without embellishment ; and such, I think, is the case to-day.

The truth is that the League is still rather weak. It has doubtless rendered considerable service to the world, and I unhesitatingly recognise that fact ; but the uneasiness and insecurity which still prevail in Europe, despite the apparent re-establishment of peace, have naturally had the effect of preventing the League from gaining that strength which the friends of a new international order were justified in hoping for at the time of its creation.

During this period of weakness it has passed through a dangerous crisis, which threatened its very existence.

It has now somewhat recovered, and for my part I still hope that in time it will recover completely ; but if that is to happen it is essential that all the elements of good which are now present, or will in the future be present in its various organs, both in the Council and in future Assemblies, should work ceaselessly and unflinchingly for its recovery.

I beg you to allow a humble member of the Assembly to express the earnest wish that it may be so. (*Applause.*)

The President :

Translation: No more members have sent in their names.

If no one else wishes to speak on the report on the work of the Council, I shall declare the discussion closed.

The discussion is closed.

45.—AMENDMENTS TO ARTICLE 16 OF COVENANT: REPORT OF FIRST COMMITTEE: RESOLUTION.

The President :

Translation: We now pass to the discussion of the second item on the Agenda—the proposal of the

British Government regarding amendments to Article 16 of the Covenant.

I call upon M. Motta, Chairman of the First Committee, and Dr. Limburg, Rapporteur, to take their places on the platform.

(*M. Motta and Dr. Limburg took their places on the platform.*)

The President :

Translation: Dr. Limburg will address the Assembly.

Dr. Limburg (Netherlands), Rapporteur :

Translation: Mr. President, ladies and gentlemen—As the report of the First Committee was only distributed this morning, I shall begin by reading the principal part of this report (Annex 8; A. 86, 1923).

“ The First Committee, having examined the amendments to Article 16, paragraph 1, of the Covenant, proposed by the British Government on July 30th, 1923, has the honour to submit to the Assembly the following resolution :

‘ The Assembly decides to defer discussion of the British Government’s amendments to Article 16 of the Covenant until the fifth Assembly (1924). . . .’

“ The reasons which have led the Committee to formulate the above-mentioned proposal are the following :

“ (1) The number of States which have ratified the amendments to Article 16 which were adopted by the second Assembly is not yet sufficient to allow these amendments to come into force. It would not, therefore, be opportune to adopt new amendments on the same subject as amendments already adopted but not yet completely ratified ; such action might even cause a certain amount of difficulty—as regards their constitutional law—to certain States Members of the League.

“ (2) It would not be opportune to recommence in the present Assembly a discussion on the blockade as provided for in Article 16.

“ (3) The drafting of the British amendment does not appear to be quite clear. The words ‘ *if not* ’ (*sinon*) and ‘ *at least* ’ (*au moins*) might give rise to some ambiguities, which one should endeavour to remove by redrafting the text after examination and further discussion.”

I shall now add a few words in explanation of the report of the First Committee.

As you know, the first paragraph of Article 16 of the Covenant, as amended by the second Assembly, reads as follows :—

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

By this amendment the words “ persons residing in the territory ” were substituted for the word “ nationals ”.

This amendment has not yet entered into force, because it has not yet been ratified by all the States

Members whose collaboration is necessary. One State in particular, which is a Member of the Council, has strong objections to the ratification of this amendment.

With a view to meeting possible objections to ratification, the British Government—which would itself have been satisfied by the amendment adopted by the second Assembly—has proposed an amendment, making a fresh change in this text, which I will read to you in the course of my speech.

Thus we have before us a fresh amendment dealing with the same matter as the above-mentioned amendment adopted by the second Assembly.

This gives rise, as is invariably the case, to a somewhat delicate situation. I do not mean to say that the present Assembly is not competent to discuss and vote on the new amendment—far from it. But in the present case the adoption by the Assembly of the new British amendment might involve more than one State in difficulties—the States which have already ratified the earlier amendment no less than those which have not yet done so.

States which have already ratified the earlier amendment would be compelled to devise some means or other of cancelling the ratification. From the point of view of procedure, they could not employ the procedure for denouncing a treaty, for the simple reason that there is as yet no treaty to denounce.

If the question is regarded from its practical aspect, it will be seen that the Members of the League will be involved in an equally serious difficulty. They would be obliged to submit to their Parliaments bills modifying certain legal provisions which those Parliaments have only just approved. Parliaments are, as a rule, inclined to be sceptical, and if there are any which still retain this traditional attitude, they will perhaps ask whether they are not being required to weave a second Penelope's web.

Further, among the States which have not yet ratified the amendment to Article 16 adopted in 1921, there would be some to which the new amendment would be submitted for consideration at the very moment when they were bringing forward a bill for the ratification of the amendment adopted by the second Assembly.

It might very likely happen that one Government, or even more, after a lively discussion in Parliament, would only be able to obtain by a small majority the adoption of the amendment as voted in 1921 by the Assembly of the League; and if, coming weary from the Parliamentary lists, that Government found that the battle had to be joined once more, it might well consider that it had fought in vain. This is the first reason why the First Committee proposes that you should leave the examination of the British amendment in abeyance until next year.

I now come to the second reason.

Although the British amendment refers only to one paragraph and to a single question, it would be difficult to forecast the duration of the debate, once it was begun. It is not, I think, expedient to begin a new discussion of an article of the Covenant such as Article 16, which is closely related to Article 10 and to the draft Treaty of Mutual Guarantee.

Certain articles in the Covenant—which is the constitutional law of mankind—like certain articles in the constitutional laws of States, should be left undisturbed, so that the idea contained in them may, so to speak, come to maturity. The right and appropriate interpretation will come of itself in due time. What seems to-day to be a Gordian knot may to-morrow appear a clear and simple problem.

There is a third reason in favour of postponement. If all the States Members of the League agreed that the wording of the British amendment would in no case give rise to ambiguities, they might, after adopting it in the present Assembly, submit it to their Parliaments as representing a particularly successful attempt to hasten the ratification—at least by the States which have hitherto opposed such ratification—of all the

amendments to Article 16 adopted by the second Assembly. This attempt would not cause difficulties in regard to the interpretation of the first paragraph itself.

Some members of the First Committee, however, consider that the wording of the amendment is not quite clear. The word "nationals" in the first paragraph of Article 16 is to be replaced, according to the amendment adopted in 1921, by the expression "persons residing in the territory". You will remember the proposal put forward by M. Reynald, that the two expressions "nationals" and "persons residing in the territory" should be combined, a proposal which was not, however, adopted.

The British amendment suggests that, in the case provided for in Article 16, the States Members shall undertake "to prohibit all intercourse even if not between their nationals and the nationals of the covenant-breaking State, at least between the persons resident within their territories and persons resident within the territory of the covenant-breaking State".

The alternative is not a very clear one, since there are "nationals" who are resident within the territory of the State Member and "nationals" who are not resident within that territory. Conversely, the term "persons resident within the territory" includes nationals domiciled within the territory. If the purport of the British amendment were that the minimum blockade, in respect of which each State Member gives an undertaking, should entail the prohibition of intercourse between all persons resident within its territory (both nationals and others) and those of the covenant-breaking State, it would be better to apply this prohibition in respect of all nationals wheresoever resident outside their own country, and it would then be necessary to modify the wording of the amendment so as to leave no doubt on this point.

For these reasons the First Committee proposes that you should refer the British amendment to the next Assembly.

The President :

Translation : Does anyone wish to speak ?
The resolution is as follows :—

The Assembly decides to defer discussion of the amendments to Article 16 of the Covenant proposed by the British Government until the fifth Assembly (1924).

(The resolution was unanimously adopted.)

46.—TRANSIT AND COMMUNICATIONS ORGANISATION : REPORT OF SECOND COMMITTEE : RESOLUTION.

The President :

Translation : The next item on the Agenda is the discussion of the Second Committee's report on the work of the Organisation for Communications and Transit (Annex 9; A. 87, 1923).

I call upon the Maharajah of Nawangar, Chairman of the Second Committee, and the Hon. G. P. Graham, Rapporteur, to take their places on the platform.

(The Maharajah of Nawangar and the Hon. G. P. Graham took their places on the platform.)

The President :

Translation : The Maharajah of Nawangar will address the Assembly.

The Maharajah of Nawanagar (India) :—Before the debate on the work of the Second Committee is opened and before the Rapporteurs present to the Assembly the resolutions proposed by that Committee, which deals with several technical organisations of the League, I think it would be well for me, as Chairman of the Committee, to say a few words in order to convey to the Assembly the general impression which the discussions—very excellent discussions—in the Committee left upon our minds.

The Second Committee found its task of reviewing the work of the technical organisations an exceedingly interesting one. The work of these organisations comprises on the one hand many and important results already achieved, and on the other hand important preparatory steps giving promise of future success. The Committee was much impressed, not only by the value of the actual work done by the organisations, but also—and perhaps even more so—by the close association between the activities of these technical organisations and the activities of other organs of the League.

In the world to-day there is no international problem which has not a technical side. Technical competence is absolutely a *sine qua non* of the successful conduct of international business. Consequently, any diminution of the activity of the technical organisations, any cessation in the development of their activity must, on the one hand, involve a holding-up of the general success of the League, and, on the other, hinder progress in the direction of international co-operation and a settlement of disputes.

The reports on the discussions of the Fourth—the Finance—Committee are not yet before us. We know, however, that that Committee will report in favour of extensive reductions in the budget of the technical organisations. One must not set one Committee at variance with another, and far be it from me to oppose any reductions which may be proposed.

I am an advocate of economy, and I bow before the inevitable; but it is my duty to ask the Assembly to realise fully the extent of the sacrifices which we may accept, and to consider their effects. In the budget of the Economic and Financial Organisation, I understand there is to be a complete cut of the appropriation for the meeting of a general conference. Hence, no conference of this kind can be held next year. But it is clear from our investigations that, in various spheres, real and genuine progress cannot be achieved without an international conference.

With regard to the proposals now made by the Second Committee on Health questions, these have, in effect, already been approved by a previous Assembly. The resolutions proposed do not imply any expenditure which has not the approval of the Fourth Committee. But I ought to point out to you that, in the budget of the Health Organisation, the sums initially proposed for the carrying out of enquiries have been very considerably reduced. I am informed that this will have the effect of making it impossible to carry further the studies already begun on cancer and malaria. This point is all the more worthy of grave consideration since, on the proposal of the Second Committee, the Assembly has already decided on the final constitution of the Health Organisation of the League, and the Health Committee which is a part of this organisation is specially designed and intended as the organ of enquiry, investigation and preparatory study.

As to the organisation for Communications and Transit, the sum proposed for regional conferences has been cut out.

Let me be quite clear. I am not advocating the replacement of these sums in the budget—not at all. But I desire to apprise you fully of the gravity of the decisions as to financial cuts. The technical organisations must suffer in power and potentiality. Public opinion is very busy and very exacting in regard to

the League of Nations. Public opinion no doubt is well advised; but public opinion should recognise that in the field of international questions no solution of a problem can be merely improvised. The value of the work of the League depends entirely on the value of the preparatory work, and the technical organisations are above all concerned with and responsible for preparatory work.

As to the actual work of the organisations and their programmes of future work, these I leave to the distinguished Rapporteurs appointed by the Second Committee. (*Applause.*)

The President :

Translation : The Honourable G. P. Graham will address the Assembly.

The Hon. G. P. Graham (Canada), Rapporteur :—Before presenting this report, I think it not unwise to call attention to the fact that if the work of the Organisation on Communications and Transit is to be as effective as the League of Nations anticipated, it would be necessary for the various nations to be represented at the conference called for the consideration of this great question. But attendance at the conference will not be sufficient unless the Convention be ratified. The ratifications will not be sufficient unless the ratifications are acted upon. These three conditions are essential. I am bound to make these comments on account of what has happened or failed to happen since the Barcelona Conference.

(*Mr. Graham then read the report of the Second Committee—Annex 9; A. 87, 1923.*)

The President :

Translation : If no one wishes to speak, I declare the discussion closed.

The discussion is closed.

The resolution is as follows :—

The Assembly,

Having taken note of the reports submitted by the Advisory and Technical Committee for Communications and Transit (Documents A. 42, 1923 and A. 70, 1923) concerning the work of the Communications and Transit Organisation between the third and fourth Assemblies :

Notes with satisfaction the work of the Organisation during this period and the results achieved both in respect of the preparation of the four draft Conventions to be submitted to the second General Conference, which meets on November 15th (in which the Assembly shares the hopes of the Council that all recognised States will participate), and in respect of the drawing-up of numerous resolutions dealing with all classes of transport, which the Assembly desires to bring to the notice of the Council and of the Governments concerned ;

Notes with satisfaction the complete success of the first application of the procedure for technical conciliation of differences between States with regard to questions affecting communications, and trusts that this procedure, which is established by the resolutions of the first Assembly for the settlement of disputes concerning the execution of the Treaties of Peace and by the provisions of various subsequent conventions, will be as effective in the future for the carrying-out of the work for which it was designed.

Among the work of a more essentially practical nature carried out by the Advisory and Technical Committee, the Assembly takes special note of the enquiry undertaken, in accordance with the decisions of the last Assembly, into the application of the resolutions of the Genoa Conference regarding the restoration and improvement of means of communication in Europe. The Assembly draws attention to the conclusion reached by the Committee as a result of this investigation, namely that, with regard to Western

Europe, the efforts for the restoration of transport which have been necessary as a result of the war can be considered as having, on the whole, led to the re-establishment of a normal situation; whereas, with regard to Central and Eastern Europe, the application of the measures laid down at the Genoa Conference and at the preceding international conferences, as well as the efforts made by the Governments, have resulted, in general, in a marked improvement both in the material restoration of the means of transport and in the facilities given to international traffic. Nevertheless, it should be pointed out that the important progress still to be realised is subordinate to considerations which are far wider than those of transport,

and, particularly to the problem of the stabilisation of exchanges and that of credits.

Whereas the present Advisory and Technical Committee for Communications and Transit will be subject to renewal at the forthcoming General Conference, the Assembly offers its heartiest thanks to it for the work that it has done and expresses its confidence that the next Committee will continue that work, making use of the same procedure and inspired by the same ideals.

(The resolution was adopted unanimously.)

The Assembly rose at 1 p.m.

TWELFTH PLENARY MEETING

Monday, September 24th, 1923, at 10.30 a.m.

President: M. DE LA TORRIENTE Y PERAZA.

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Translation:

"We have received a telegram from Tokio to the effect that the Imperial Government, deeply moved by the sentiments of deep sympathy expressed by the Assembly at its meetings of the 3rd and 10th inst., on the occasion of the terrible catastrophe by which Japan has been so cruelly stricken, instructs me to express the sincere gratitude felt by the Government and nation of Japan.

"It is with personal feelings of heartfelt gratitude—feelings which are shared by the whole Japanese delegation—that I have the honour to request you to convey to the Assembly the expression of the profound and sincere gratitude felt by my Government and by the Japanese nation."

(Signed) ISHII."

48.—TRAVELLING FACILITIES FOR GROUPS OF BOY SCOUTS AND GIRL GUIDES: REPORT OF AGENDA COMMITTEE.

The President:

Translation: I have received the following report from the Agenda Committee:—

"The Committee appointed to give its opinion on the inclusion in the Agenda of proposals submitted to the Assembly in the course of its session has taken note of the following draft resolution submitted by the delegation of Chile:

"The Assembly of the League of Nations, Considering that the International Boy Scout and Girl Guide Movement, which promotes closer relations and a better understanding between the younger generations of all nations, is rendering very real and valuable services in the cause of world peace,

47.—EARTHQUAKE DISASTER IN JAPAN: LETTER FROM JAPANESE DELEGATION.

The President:

Translation: I have received the following letter from the delegation of Japan:—

Considering that it would be desirable to afford all possible assistance to the Boy Scouts' International Bureau, and that its registered national Associations should receive aid and support in carrying out their international task,

Invites the Governments of the States Members of the League to give favourable consideration, as regards travel by land or water and passport and Customs regulations, to the question of the facilities they can provide for those groups of Boy Scouts and Girl Guides which belong to a registered national Boy Scouts' Association of any State Member of the League, when such groups are travelling from the territory of one State Member to or through the territory of another State Member.'

"The Committee is of opinion that it would be undesirable to defer until next year the study of a question which is of such importance to the younger generation, and that therefore it should be considered as an urgent matter and dealt with this year.

"It has therefore decided to request the Assembly to place this proposal on its Agenda and to refer it to the Fifth Committee." (*Assent.*)

49.—ECONOMIC AND FINANCIAL COMMISSION: REPORT OF SECOND COMMITTEE: RESOLUTIONS.

The President :

Translation: The next item on the Agenda is the discussion of the report of the Second Committee on the work of the Economic and Financial Commission (Annex 10; A. 83, 1923).

I call upon the Maharajah of Nawanagar, Chairman of the Second Committee, and Jonkheer van Eysinga and M. Fernandez y Medina, Rapporteurs, to take their places on the platform.

(*The Maharajah of Nawanagar, Jonkheer van Eysinga and M. Fernandez y Medina took their places on the platform.*)

The President :

Translation: M. Fernandez y Medina will address the Assembly.

M. Fernandez y Medina (Uruguay), Rapporteur, read his report.

The President :

Translation: Jonkheer van Eysinga will address the Assembly.

Jonkheer van Eysinga (Netherlands), Rapporteur :

Translation: Ladies and gentlemen—When the Assembly last year was considering the work of the Economic and Financial Organisation, Lord Robert Cecil stated that he could not help experiencing a slight feeling of disappointment in regard to the work in question. He greatly appreciated the number of matters which had been dealt with, and in some cases carried to a successful issue, by the Organisation, but he noted with some regret that it had not yet attacked the great and pressing problems which must be dealt with if the League of Nations is to fulfil its task, since the whole world is impatiently awaiting their solution.

I am therefore happy to inform you that the Economic Committee, on which it is my special duty to report, has, during the past year, undertaken a task which

proves that the Committee is firmly convinced of the necessity of dealing, in addition to work of a restricted nature, with problems which are wider in their scope.

The Economic Committee considers it desirable to undertake the study of the principal factors of the present economic crisis. We must, I think, congratulate the Committee on adopting such a resolution, which appears to deal with one of the principal causes of anxiety due to existing world conditions, and I must express the hope that the study so undertaken by the Economic Committee, under the able chairmanship of M. Brunet, will produce valuable results for international economic life in general.

I would venture to call your special attention to the two Conferences arranged by the Economic Committee. The first will deal with Customs formalities, and will open in the course of a few weeks here at Geneva. There is, I think, no need for me to lay stress on the important part played by Customs formalities of a just and equitable character in the realisation of the desideratum referred to in Article 23 (e) of the Covenant—the equitable treatment of commerce.

If I dwell for a moment on this Conference, it is because of its paramount importance—a fact which has already been recognised by the Santiago Pan-American Conference, and is also noted in draft resolution No. 4, now before the Assembly, which recommends that the attendance of the States at this Conference should be the largest possible.

The Secretariat informs me that not all the Governments which have been convoked have yet appointed their delegates. If such is the case, I venture respectfully to urge the necessity of making these appointments at the earliest possible moment.

The other Conference to which I should like to draw your attention cannot take place in 1924; it is the third Conference on the unification of law in regard to bills of exchange and promissory notes.

In this connection I should like to pay a tribute to the work done by four experts, especially competent in this subject—M. Josephus Jitta, Sir Mackenzie D. Chalmers, M. Franz Klein and M. Lyon-Caen. These four eminent lawyers have recommended that the work of The Hague regarding the unification of the law on bills of exchange should be continued in due course at The Hague itself.

As delegate of the Netherlands as well as Rapporteur on this question, I have pleasure in assuring you at once that when the question is ripe for a fresh Conference, that Conference will receive a whole-hearted welcome at The Hague.

Commercial circles, and, in particular, the International Chamber of Commerce, have, for a long time, eagerly awaited the day when States, whose legislative and judicial authorities were still opposed to approving arbitration clauses inserted in contracts concluded between traders, would take the necessary steps to recognise the validity of arbitration agreements, whether relating to existing or future differences.

The Second Committee suggests that a protocol regarding arbitration clauses should forthwith be opened for signature, and that we should recommend that as many States as possible should adhere to it without delay. I may add that it is also suggested that as soon as the Assembly has voted this resolution, the protocol of signature should be opened at the Secretariat of the League.

I will not read you the Second Committee's report, nor will I refer to all the problems to which the Committee has devoted its energies during the past year. You will find them all in the report of the Second Committee, and you will realise that these problems are indeed numerous.

Nevertheless, M. Adatci, whose zeal for the development and greatness of the League of Nations is well known to you all, foresees the possibility that the

Economic Committee might not have sufficient work to do. He has drawn up a number of important problems—you will find them *in extenso* in the report—which the Second Committee suggests should be referred to the Economic Committee, with the exception of the question of coasting trade, which will be dealt with by the second general Conference on Communications and Transit, if it thinks necessary.

The Economic and Financial Commission is now about to enter upon the fourth year of its work. All that it has already done for the economic life of the world, under its distinguished Chairman, M. Ador, affords the best possible guarantee that it will bring a rich and fruitful harvest to the fifth Assembly.

On behalf of the Second Committee, I propose that you should adopt the resolutions annexed to the report of the Second Committee. (*Applause.*)

The President :

Translation: M. Freire d'Andrade, delegate of Portugal, will address the Assembly.

M. Freire d'Andrade (Portugal) :

Translation: Mr. President, ladies and gentlemen—I congratulate the Rapporteur, M. van Eysinga, on the admirable report which he has laid before the Assembly; I should, however, like to ask for some explanation on a point which does not appear to me quite clear. I have already referred to the matter in the course of the discussion in the Committee.

This point is the following: Is the principle laid down in the first provision of the protocol which has been submitted to us applicable in the case of a State which is in the position of a company or an individual carrying out commercial transactions—for example, when a State has taken over a railway company?

In a document such as has been submitted to us, and in the drafting of a protocol in which various considerations and interests must be taken into account, it is of course not always possible to provide specifically for all cases which may arise, but in signing this protocol I should like to know as far as possible the precise character of the undertakings to which my country will be called upon to commit itself. I should therefore be grateful to the Rapporteur if he would give us some explanation on this point.

The President :

Translation: M. Adatci, delegate of Japan, will address the Assembly.

M. Adatci (Japan) :

Translation: The Japanese delegation has closely examined the text of the report of the Second Committee regarding the work of the Financial and the Economic Committees, and has heard with keen interest the verbal statement made by the Rapporteurs. It accepts the text of the report, which has been prepared with that remarkable clearness which is invariably characteristic of documents drawn up by the distinguished representatives of the Netherlands and of Uruguay.

The Japanese delegation would draw special attention to the passage in which the Rapporteurs pay a respectful tribute of gratitude to M. Ador, M. Brunet and M. Janssen, all of whom have earned the special thanks of the League of Nations.

The Japanese delegation would have liked the proposals in the eighth draft resolution before the Assembly to have been somewhat more encouraging. The delegation is, however, convinced that the intention of the wording as it stands cannot be to exclude the important question of coasting trade from the discussions of the second Conference on Communications and Transit, but to leave it to that Conference, which

is to take place at Geneva in November, to take a decision on this question. Accordingly, the delegation will not oppose the adoption of the resolution.

The preparatory document submitted to the Council by the Advisory Committee for Communications and Transit states explicitly that:—

“ Since the questions raised are of a very general nature, and cannot usefully be discussed unless the responsible representatives of the respective Governments receive definite instructions on this subject, the Committee considered that it would be preferable to leave the General Conference to take a decision on this question.”

In view of these considerations the Japanese delegation warmly recommends that the Assembly should adopt the draft resolutions submitted to it.

The President :

Translation: Jonkheer van Eysinga will address the Assembly.

Jonkheer van Eysinga (Netherlands), Rapporteur :

Translation: The point which the Portuguese delegate has raised regarding the protocol on arbitration clauses is a very definite one. He refers to the case of two railway companies, one in a country A, the other in a country B, and asks whether the arbitration clause is to apply if the company in one of these countries is taken over by the Government?

The question raised is of great importance from a legal point of view, and in reply to the Portuguese delegate I cannot do better than read the very full statement made by M. Serruys on this matter when it was under discussion in the Second Committee. M. Serruys began by expressing his view that the proposed agreement did not apply to disputes between States. In this we agree with him. He then added that “ there was, however, a case in international law which had been interpreted in more than one way, namely, where the State was concerned in commercial affairs. For instance, if an arbitration clause were signed between two private companies, one of which subsequently became State-owned, whereby the State became a commercial entity, did the Convention apply? In such a case national legislation would be the test. The second paragraph of Section I spoke of ‘ contracts which are considered as commercial under its national law.’ It would be seen that if the Convention did not apply to States, it did at least provide for the second case he had mentioned.”

Such is the opinion of M. Serruys, who has had great experience in this matter, and I do not think we can do better than consider this interpretation as authentic.

With regard to M. Adatci's remark, I regret—and I am sure that we all regret—that M. Adatci, who is invariably among the most ardent promoters of the work of the Economic and Financial Commission, should have believed that one of the resolutions was somewhat discouraging. Should it really be regarded as in any way discouraging? M. Adatci has, I think, himself answered my question at the conclusion of his remarks. Surely it is quite clear that the question of coasting trade remains within the competence of the general Conference on Transit and Communications, where it will be discussed, and where the delegations of the various Governments will be able to put forward their observations.

M. Adatci (Japan) :

Translation: I thank the Rapporteur for his statement.

The President :

Translation: Does any one wish to speak? If not the discussion is closed.

The resolutions are as follows:—

I. The Assembly, being convinced of the great importance of the problems of double taxation and fiscal evasion, thanks the Financial Committee, the economists and Government experts who have examined these questions, and expresses its desire that these studies may within a short time lead to an agreement on certain general principles.

II. The Assembly expresses its appreciation of the work undertaken or continued by the Financial Committee with a view to promoting the reconstruction of certain European countries. It feels confident that the technical opinion and the advice of the Committee may, in the future as in the past, be placed at the disposal of Governments making a request to that effect, as has been done up to now in the case of Albania, Austria, the Free City of Danzig and the problem of the Greek refugees.

III. The Assembly,

Realising the desirability and urgency of assuring by an international agreement a more general recognition of the validity of the arbitration agreement, whether referring to present or future differences, which is designed to regulate by means of arbitration differences that may arise in connection with contracts, and especially with commercial contracts, concluded between persons subject to the jurisdiction of different States;

Recognising the great importance which commercial circles attach to the prompt settlement of this question;

Considering that the text of the attached Protocol (see Document A. 83, 1923, II) submitted by the Second Committee differs from that which was communicated to the Members of the League by Circular Letter No. 56 of May 26th, 1923, only as regards a few details of drafting, which do not involve any modifications of substance:

Decides to open the said Protocol immediately for signature by the States, expressing the desire that the greatest possible number of States may adhere to it as soon as possible.

IV. The Assembly, emphasising the importance, for the establishment of normal trade relations, of the Conference on Customs Formalities which will open at Geneva on October 15th, and recognising that the achievement of the object of this Conference would be a further step towards a more equitable treatment as regards the commerce of the States, expresses the hope that the attendance of the States will be the largest possible and that the Conference may result in common agreement between the participating States.

V. The Assembly notes with satisfaction that the Economic Committee has succeeded in drawing up, for the guidance of Members of the League, a series of principles regarding the treatment of foreign nationals and enterprises duly admitted to establish themselves or to exercise their commerce or industry on the territory of another State. It endorses the action of the Council in recommending the States to put these principle into practice, both by the adaptation of their national legislation and by the conclusion of bilateral agreements.

VI. The Assembly notes with satisfaction the steps taken towards the establishment, by means of international action, of better provisions against unfair competition. It notes the conclusions of the Economic Committee as regards the protection of consumers against worthless goods.

It further notes the desire expressed by various delegations for the protection, not only of producers against unfair competition, but also of consumers against dishonest trading. Whilst fully aware that the suppression of these practices depends on the initiative of each individual nation, it nevertheless hopes that the Economic Committee will discuss the possibility of international action with a view to the protection of consumers.

VII. The Assembly notes the conclusions of the Economic Committee with regard to the unification of the regulations

relating to bills of exchange. It also notes the further progress made towards the unification of methods of compiling economic statistics.

VIII. The Assembly refers to the Economic Committee for careful examination the proposals of M. Adatci (see Document A. 83, 1923, II), with the exception of the proposal respecting the reservation in regard to coasting trade, with which the second Conference on Communications and Transit should deal if it thinks necessary.

IX. The Assembly notes the first measures taken by the Economic and Financial Organisation as regards the collaboration with the International Labour Office in the enquiry on the economic and financial aspects of the unemployment crisis. It also notes that the Economic Committee has decided to extend its study to the general problem of the present economic crisis, of which unemployment is but one consequence.

X. The Assembly follows with satisfaction the development of the publications of the Economic and Financial Organisation. It appreciates the utility of this documentation, which elucidates the present grave monetary, budgetary and economic problems.

XI. The Assembly notes with satisfaction the resolution adopted by the Council on September 10th last, to prolong until further order the term of office of the Economic and Financial Commission.

The Assembly, in view of the substantial results already achieved by this body, expresses its confidence that much useful work will be accomplished by it in the future.

If there is no objection, I shall consider these resolutions adopted.

(The resolutions were unanimously adopted.)

50.—PROTOCOL ON ARBITRATION CLAUSES: COMMUNICATION BY THE PRESIDENT.

The President :

Translation: In connection with the decision which the Assembly has taken, I should, I think, state that the protocol on arbitration clauses (see Annex 10; A. 83, 1923) is now open for signature by all States desirous of adhering to it.

Delegates should apply to M. Teixidor at the Secretariat of the League.

51.—EASTERN CARELIA: REPORT OF SIXTH COMMITTEE: RESOLUTION.

The President :

Translation: I propose that the Assembly should now consider the report of the Sixth Committee concerning Eastern Carelia (Annex 11; A. 88, 1923). I call upon M. Hymans, Chairman of the Sixth Committee, and Jonkheer Loudon, Rapporteur, to take their places on the platform.

(M. Hymans and Jonkheer Loudon took their places on the platform.)

Jonkheer Loudon (Netherlands), Rapporteur :

Translation: Mr. President, ladies and gentlemen— I regret that I have no map available to show the

Assembly the exact position of the country with which we are dealing. The country in question is situated in the North-West of Russia between Finland, the White Sea and, a little further south, the great lakes.

In the Middle Ages, the territory of Carelia was perpetually in dispute between Sweden and Russia. Finally, in 1323, by the Treaty of Nöteborg, the north-eastern part of Carelia, now called Eastern Carelia, was ceded to Russia, and the rest became part of the Duchy of Finland.

Eastern Carelia has an area of 150,000 square kilometres and a population of 200,000, and comprises the Russian Governments of Archangel and Olonetz.

The Carelian population, taking its stand more particularly on a decree of the Council of the People's Commissaries entitled "Declaration of the Rights of the Peoples of Russia", dated November 3rd, 1917, establishing the right of those peoples to enjoy self-determination, had hoped to obtain a very considerable degree of autonomy. But its hopes were not fulfilled.

On October 14th, 1920, a Treaty of Peace was signed at Dorpat between the Republic of Finland and the Republic of the Soviets. The Finnish delegation, being interested in the fate of a population of similar race, obtained the inclusion, in Article 10 of the Treaty, of a formal declaration concerning the autonomous territory of Eastern Carelia, "which is to include the Carelian population of the Governments of Archangel and Olonetz, and which shall enjoy the national right of self-determination."

The text of the Treaty of Dorpat—which was duly registered at the Secretariat of the League—was supplemented by the statement of the Russian delegation, relevant to the said Treaty, and defining the rights granted to the population of this region.

A letter from the Finnish Government, dated November 26th, 1921, drew the attention of the Council to the situation created in Eastern Carelia by the non-application of the provisions of the Treaty of Dorpat.

Latvia, Esthonia, Poland and Lithuania associated themselves with Finland in this step, the three latter countries making declarations before the Council on January 13th, 1922.

The Council adopted a resolution in which it declared itself willing to consider the question if the two parties concerned agreed; it added that in its opinion one of the interested States Members of the League which was in diplomatic relations with the Soviet Republic, might ascertain the intentions of the Moscow authorities on the question. The latter, however, refused to act in the matter, declaring that the question of Eastern Carelia was not of an international, but of a domestic character.

On November 10th, 1922, the Finnish Government again approached the Council of the League with a request in writing that, by virtue of Article 14 of the Covenant, it would submit the question to the Permanent Court of International Justice for an advisory opinion.

At the meeting held on April 21st, 1923, the Council, acting on M. Salandra's report, adopted a resolution requesting the Permanent Court of International Justice to give an advisory opinion on the question whether Articles 10 and 11 of the Treaty of Dorpat of October 14th, 1920, and the annexed declaration made by Russia regarding the autonomy of Eastern Carelia, constituted engagements of an international character, which placed Russia under an obligation to Finland as to the carrying out of the provisions contained therein.

The Permanent Court of International Justice examined the question at a meeting held on July 23rd, and made a pronouncement that, as States non-Members of the League were not bound by the Covenant, the submission of a dispute between them and a State

Member of the League could not take place without the consent of the former. As the Soviet Government had not given such consent, the Court found it impossible to give its opinion on a dispute of this kind, especially as the question put to the Court was not one of abstract law, but concerned directly the main point of the controversy between Finland and Russia.

The Court went on to say that the question could only be decided by an investigation into the facts underlying the case. It added however that it did not regret that the question had been put, as all must now realise that the Council had spared no pains in exploring every avenue which might possibly lead to some solution with a view to settling a dispute between two nations.

Having referred the draft resolution submitted by the Finnish delegation to a Sub-Committee for consideration, the Sixth Committee eventually decided to propose to the Assembly the following resolution:—

"The Assembly,

"Recognising the importance of the question of Eastern Carelia,

"Notes the declaration of the Finnish delegation that the Finnish Government, in the absence of any decision or any contrary opinion pronounced by any international jurisdiction, maintains its right to consider the clauses of the Treaty of Dorpat and the supplementary declarations relating to the status of Eastern Carelia, as agreements of an international order;

"And requests the Council to continue to collect all useful information relating to this question with a view to seeking any satisfactory solution rendered possible by subsequent events."

On behalf of the Committee, I therefore beg to submit this resolution to the Assembly and warmly to recommend its adoption. (*Applause.*)

The President :

Translation: M. Meierovics, delegate of Latvia, will address the Assembly.

M. Meierovics (Latvia) :

Translation: Mr. President, ladies and gentlemen—Since the beginning of her existence as an independent State, Latvia has realised that the prosperity and well-being of a country devastated by war can only be re-established under conditions of peace and good understanding. She has therefore consistently pursued a peaceful foreign policy, with the primary object of maintaining good relations with all her neighbours.

Holding these views, Latvia considers that any unsettled dispute is harmful to good relations between nations by creating an atmosphere of mistrust.

For this reason she has followed the various phases of this question before the League with great interest, and, being anxious to see the dispute settled as soon as possible on purely pacific lines and in accordance with its legal aspects, she will support any action likely to secure this end.

The Baltic States — Esthonia, Finland, Lithuania and Latvia — have formed a just appreciation of the value of peaceful settlements for a good understanding between nations. They have therefore agreed to compulsory arbitration and have signed the optional clause of Article 36 of the Statute of the Permanent Court of International Justice.

Latvia is the neighbour of two great European Powers, with whom she has concluded various treaties, but, as neither of them is as yet a Member of the League, she attaches special importance to these treaties, which, being considered as international engagements, have been duly registered with the Secretariat of the League and published by it. Any other legal

interpretation would inevitably cause grave difficulties to several Members of the League.

I am therefore entirely in agreement with the draft resolution adopted by the Sixth Committee, which fully recognises the importance of the Eastern Carelian question in regard to the maintenance of peace.

Further, I hope that the Council of the League will continue its efforts to discover a satisfactory solution, and will succeed in achieving the task entrusted to it by this great Assembly. (*Applause.*)

The President :

Translation : Does anyone wish to speak ?

If no one wishes to speak, I shall declare the debate closed.

The debate is closed.

The resolution is as follows :—

*The Assembly,
Recognising the importance of the question of Eastern Carelia,*

Notes the declaration of the Finnish delegation that the Finnish Government, in the absence of any decision or any contrary opinion pronounced by any international jurisdiction, maintains its right to consider the clauses of the Treaty of Dorpat and the supplementary declarations relating to the status of Eastern Carelia, as agreements of an international order ;

And requests the Council to continue to collect all useful information relating to this question with a view to seeking any satisfactory solution rendered possible by subsequent events.

If there is no opposition, I shall consider this resolution adopted.

(The resolution was unanimously adopted.)

52.—INTERPRETATION OF ARTICLE 10 OF COVENANT: REPORT OF FIRST COMMITTEE.

The President :

Translation : The next item on the Agenda is the discussion of the report of the First Committee on the interpretation of Article 10 of the Covenant (Annex 12; A. 85, 1923).

I call upon Sir Lomer Gouin, Vice-Chairman of the First Committee, and M. Rolin, Rapporteur, to take their places on the platform.

(Sir Lomer Gouin and M. Rolin took their places on the platform.)

The President :

Translation : M. Rolin will address the Assembly.

M. Rolin (Belgium), Rapporteur :

Translation : Ladies and gentlemen—The resolution regarding the Canadian proposal for certain amendments to Article 10 of the Covenant which, on behalf of the First Committee, I have been instructed to lay before the Assembly, reads as follows :—

“ The Assembly, desirous of defining the scope of the obligations contained in Article 10 of the Covenant so far as regards the points raised by the Canadian delegation, adopts the following resolution :

“ It is in conformity with the spirit of Article 10 that, in the event of the Council considering

it to be its duty to recommend the application of military measures in consequence of an aggression or danger or threat of aggression, the Council shall be bound to take account, more particularly, of the geographical situation and of the special conditions of each State.

“ It is for the constitutional authorities of each Member to decide, in reference to the obligation of preserving the independence and the integrity of the territory of Members, in what degree the Member is bound to assure the execution of this obligation by employment of its military forces.

“ The recommendation made by the Council shall be regarded as being of the highest importance, and shall be taken into consideration by all the Members of the League with the desire to execute their engagements in good faith.”

I should like to add a few words regarding the resolution.

Article 10 is, I think, the oldest article in the Covenant. According to a declaration made by the Honourable William Bullitt on September 12th, 1919, before the Foreign Affairs Committee of the United States Senate, Article 10 is the only article which is purely Wilsonian in origin and the only one adopted without serious modification. It is a strange coincidence that this fundamental article has given rise to so many difficulties, and that to-day, for the fourth, and, perhaps, the last time, we are called upon to discuss it in this Assembly.

I venture to remind you of what occurred in previous Assemblies. Many of you will no doubt remember.

At the first Assembly Mr. Doherty called for the deletion of Article 10. The Assembly decided to refer this proposal, together with all proposed amendments of other articles, to a Committee under the chairmanship of Lord Balfour, which sat in the interval between the first and second Assemblies.

In accordance with the opinion of a Committee of Jurists, presided over by M. Scialoja, the Committee proposed an interpretative resolution.

The second Assembly was unable to accept this resolution. As a matter of fact, the resolution was cautiously worded—perhaps over-cautiously—and satisfied the Canadian delegation's doubts only to a very limited extent.

Mr. Doherty again endeavoured to obtain the deletion of Article 10, and after lengthy discussions the second Assembly voted a resolution of which I venture to remind you :—

“ Whereas a motion has been submitted by the Canadian delegation for the striking out of Article 10 of the Covenant ;

“ Whereas widely different opinions have been expressed with regard to the legal bearing of this article and its relationship to the other articles of the Covenant, especially to Articles 12 to 17 ;

“ And whereas the legal and political arguments made both in favour of and against the striking out of Article 10 are of great weight ;

“ The Assembly postpones the continuation of the examination of the proposal and the decision until its next session, and recommends that this proposal be decided before any other amendment.”

In conformity with this recommendation, the third Assembly did not take a decision either as regards any of the amendments or as regards Article 10.

Nevertheless, thanks to the Canadian delegation, some progress was made towards a solution. The latter, profiting by the debates of previous years, declared at the third Assembly that it withdrew its motion for the deletion of Article 10, but submitted the two following amendments :—

"The addition at the end of Article 10 of the following words: 'Taking into account the political and geographical circumstances of each State.'"

The second sentence of Article 10 would thus read as follows:—

"In case of any such aggression or in case of any threat or danger of such aggression, the Council shall advise upon the means by which this obligation shall be fulfilled, taking into account the political and geographical circumstances of each State."

The second amendment was as follows:—

"The opinion given by the Council in such cases shall be regarded as a matter of the highest importance, and shall be taken into consideration by all the Members of the League, which shall use their utmost endeavours to conform to the conclusions of the Council; but no Member shall be under the obligation to engage in any act of war, without the consent of its parliament, legislature or other representative body."

The third Assembly decided to refer the Canadian proposal regarding Article 10 to the fourth Assembly, in order that the subject might be considered in all its bearings and left it to the Council to decide on the steps to be taken to provide for a detailed study of the proposal.

In consequence of this decision the Canadian proposal was forwarded to the various Governments, and twenty-five of them have given their opinions. These have been collected and are now before you. They have been used as a basis of discussion both in the First Committee and in the Sub-Committee presided over by His Excellency M. de Daruvary, first delegate of Hungary.

What is the character of the proposal before you to-day? It is not an amendment, but an interpretative resolution. This introductory observation perhaps calls for an explanation of the reasons which led the First Committee in a first debate to reject the amendment and to declare itself in favour of an interpretative resolution.

In the first place, it was considered from a practical point of view that the amendments procedure was very slow and complicated, as it involved ratification by Governments and was thus open to risks. We must not exaggerate, however—a certain pessimism has been shown by delegates as to the situation with regard to the ratification of amendments. As you know, of the eleven amendments voted by the second Assembly, eight are about to come into force, and only require ratification by one or two more States.

The amendments procedure was also open to a more serious objection of a theoretical nature. In the eyes of public opinion, an amendment signifies a change. No delegate, however, wished to modify Article 10, but merely to elucidate its meaning and for this reason the amendment procedure was attended by a certain risk. While we should have been placed in an extremely difficult situation during the interval before the amendment entered into force, we should also have found ourselves in a position of great embarrassment if by any chance the amendment did not enter into force and we were then called upon to state what interpretation should, in these circumstances, be given to Article 10.

I admit that the interpretative resolution before you is not of very definite value from a legal point of view. M. Scialoja, with his usual penetration, pointed this out to the First Committee. He said that the Covenant was an international convention which had been ratified by the various States, and that, without this ratification, we could not adopt any interpretation

which was juridically and definitely binding upon States. From a legal standpoint this is incontestable.

Any interpretation, however, which you embody in a resolution will certainly possess very great authority from a moral point of view. I should add that, from a practical standpoint, it will give the Canadian delegation all it asked. Once an interpretation has been accepted unanimously, or by a large majority of delegates, as being the sense in which we, in all good faith, read the articles of the Covenant, it is certain that Canada will no longer have reason to fear any discussion on the subject, either in Canada or abroad. If this article were ever to be put into execution, Canada would, without fear of danger, be right in complying with the interpretation which we give to-day.

From the practical point of view, the resolution which we ask you to adopt is quite important—indeed, it is of very considerable importance.

What is the significance of this proposal? Let me begin by stating that the Committee makes no claim to be submitting to you a fully interpretative resolution, supplying an answer to every question which might be put in regard to Article 10. Sufficient unto the day is the evil thereof. The Canadian delegation has put before us two very definite questions, and we will reply to both.

The Sub-Committee would have liked to widen somewhat the scope of the reply; in particular, we considered whether there were any actual points which the Council could settle definitely, and also whether the States had not the right to decide the question of the *casus fœderis* as well as that of military assistance.

I myself proposed, at a meeting of the First Committee, that the Assembly should settle certain doubtful points which had arisen in previous years in regard to the cases of aggression referred to in Article 10, and that it should fully and explicitly define the relation between Article 10 and the cases of violation of the Covenant provided for in Article 16. On the proposal of its Chairman, M. Motta, the First Committee decided to limit the scope of its work, in order to be able to lay definite results before you. It decided that it would do no more than suggest replies to the clear and definite questions of the Canadian delegation—replies which should be absolutely clear and admitting of no ambiguity.

What were the Canadian amendments? You will recollect that the object of the first was to lay down that when the Council examined the question as to which States should or could despatch military forces it should take into account political and geographical conditions. We have adopted this idea, but we have taken the terms of this part of paragraph 1 of our resolution from Article 8 of the Covenant, which also refers to the geographical situation and the special conditions of each State.

In order to make the interpretative resolution harmonise with the articles of the Covenant, our Committee thought it desirable that we should not depart from the terms of the Covenant.

I would remind you that, in the course of the discussions of the Committee, certain members laid stress on the fact that among the special conditions which the Council should take into consideration when determining the question as to which State could be called upon to render military assistance, the Council should be guided by the situation in which certain States were placed under the terms of the Treaties of Peace.

Certain States have been prohibited from employing their armies beyond their own frontiers. In these cases, therefore, there are clearly political factors which the Council must take into account when it calls upon certain States to furnish military assistance.

I have one more observation to make.

In the resolution which we propose we have laid down that, when a case arises in which the Council considers it to be its duty to recommend the application of military measures, it would be desirable to take into account the geographical situation and special conditions of each State.

We wished to lay stress on the fact that Article 10 does not necessarily presuppose immediate military intervention. The hypothesis underlying this article is not exclusively—as is the case with Article 16—that of a case of aggression committed in violation of articles of the Covenant. Article 10 requires a guarantee of territorial integrity and political independence, which allows a certain elasticity of time and circumstance, since, according to the interpretation of many Members, it is applicable, even in the case of a war carried on under the conditions authorised by the Covenant.

For these reasons we wish to emphasise the fact that the Council has also entire liberty to determine the desirability of undertaking military measures in application of the guarantees provided for in the Covenant.

I now come to the second Canadian amendment, which raises a question of extreme delicacy, namely, what will be the consequence of the opinion given by the Council? What effect should be given to its recommendations?

First of all, I wish to draw attention to the fact that the importance attached by the Canadian delegation to the Council's recommendation is in actual fact implicit in its first amendment, since it has taken care to lay down specifically that the Council should be guided by geographical and political circumstances. The Canadian delegation thus shows that, in its view, the recommendation of the Council was invested with very special importance. But it wished to know definitely and unequivocally the legal value of the recommendation, and whether this recommendation was of equal value with the others.

The answer of the Committee on this point is quite clear.

The recommendation cannot possibly be regarded as an order. It would be an extremely serious infringement of the sovereignty of States—since all States are not represented on the Council—if the Council of the League of Nations could order troops to be sent to any place, without any action being taken by the Parliaments of the countries concerned. No such interpretation of the Covenant has ever been advanced by any authority.

It is true that the Council is to consider the measures to be employed, but the English drafting makes it clear that it is not a question of a formal decision which must immediately and automatically be put into effect, and I would remind you that in Article 16, where the measures are described in detail, it is carefully laid down that the Council can only recommend the various States to despatch military forces when such action is considered necessary.

The constitutional authorities have therefore the right to deliberate upon requests from the Council. But the Committee has taken care to add that Article 10 contains an undertaking and international obligations, and the deliberations of constitutional authorities would therefore not bear only upon the question of desirability—upon a decision which might be taken independently of all legal circumstances; the constitutional powers must consider in good faith in what measure the undertaking to give assistance, to which they agreed in giving their adherence to the Covenant, would necessitate the despatch of military forces.

It may be considered that there is some degree of danger inherent in the liberty which individual States would thereby still possess, and, as you know, the Third

Committee is even now considering a draft Treaty of Mutual Guarantee, in which Members are asked to renounce part of their sovereign rights in favour of the Council, and to undertake to accept its decision both in the determination of cases of aggression and as regards the despatch of military forces.

I personally am in favour of this extension of the powers of the Council, but such extension shows that in adopting Article 10 the States intended to preserve their sovereignty and to reserve the right of determining in good faith whether the undertaking to give assistance really necessitated military assistance.

It is self-evident that the opinion of the Council must be an element of primary importance in deliberations of this character. The Council finds that its authority increases from day to day, and I would add that the opinion which it expresses is all the more likely to be put into practice, since the States represented on it have given permanent and manifest proof of their adherence to the Covenant, and of their firm intention of carrying it into effect in all its clauses, whatever political difficulties such action might entail for them.

This is the significance of the resolution which the First Committee has proposed to this Assembly.

Canada has laid two questions before us: firstly, when the Council recommends that military forces should be employed, will it take geographical circumstances into account? The Assembly, if it adopts the advice of the First Committee, will reply in the affirmative.

The second Canadian question is as follows: When the Council requires us to send troops beyond the seas, shall we be under obligation to comply with this request without the confirmation by the Parliament elected by our people, of the legitimate character of this request? The Assembly's reply should, in the Committee's opinion, be as follows: If the Council should ever consider that Article 10 of this great treaty of universal alliance in the cause of right requires you once again to make the sacrifice which you consented to make in 1914, then, as free peoples, you will have the right to discuss, unchecked by fear and with a clear conscience, what are the decisions which you should take; and we feel confident that you will once again prove yourselves loyal Allies.

These are the replies which the First Committee recommends you to make.

I can see no other possible reply to the questions put by the Canadian delegation. Our answers are definite; they are in conformity with the interpretation given by all jurists who have attempted to interpret the Covenant; they are in conformity with the resolution adopted last month by the Institute of International Law at its meeting at Brussels, and I think I may say that nobody here has the right to contend that, in adopting this resolution, any one of our delegations in any way derogates from the political significance of Article 10 of the Covenant.

I would venture to remind you that the opinion of the delegation to which I have the honour to belong has a very special value in this connection.

Belgium is the only State Member of the League of Nations which on entering the League renounced the permanent neutrality guaranteed to her by the Treaties. When, in 1919, our first delegate, M. Hymans—at that time Minister for Foreign Affairs—asked our Parliament to renounce this permanent neutrality, he cited, as one of the principal elements in the new status of Belgium, this very article of the Covenant, this neutral alliance to which the States had consented with a view to guaranteeing the preservation of their liberty and political independence.

When Belgium was called upon to take this decision, it was not with the idea that Article 10 or any other of the articles of the Covenant would set

up a super-State, or organisation outside the States, to whose protection they could appeal. It was with the object of asking Belgium to take part, unencumbered by any burdens, in a free association of fifty-two States, in which it was our intention to place our confidence.

There was in the First Committee not a single dissentient voice regarding the substance of this resolution.

Certain delegations which abstained or registered a negative vote (and they were very few in number) did so because they considered that the resolution was inopportune. May I, on behalf of the First Committee, ask them to reconsider their attitude?

I would venture to point out that this is the fourth year in which we have discussed a Canadian proposal; Canada, as you will all admit, has given evidence of a praiseworthy spirit of conciliation, and a sincere desire to understand what are the causes of opposition—why certain delegations object to discuss any point whatever or even to clear away the ambiguities of Article 10.

Nevertheless, when a Member of the League of Nations asks us so insistently to define clearly the scope of an essential undertaking under the Covenant, can we possibly say that we will not do so?

Another objection which has been raised is that the public opinion of the world might misapprehend our interpretation, that certain countries would read an ulterior meaning into Article 10, and that perhaps in these circumstances it would be impossible to define its actual meaning.

If Article 10 really gives rise to disillusionment in certain countries, I think that such disillusionment is very necessary; nothing is so harmful to the prestige of the League as to allow certain errors to persist which afterwards lead to superficial and unjust criticisms.

We must destroy these illusions which blind public opinion to the true character of the responsibilities involved.

The League of Nations, I repeat, is not a Power which exists apart from the peoples and the Governments, nor can it work miracles. The League of Nations is a whole composed of the delegates of Governments, and I contend that this machinery, owing to the world-wide character of this Assembly, secures results which could never be realised without it. The initiative, however, is supplied by the Governments, and since these are the Governments of peoples which, by the terms of the Covenant itself, are fully self-governing, it is with the people themselves that the initiative lies, and it is on the strength and the collective will of the peoples that the strength and the will of the League of Nations depend.

A great politician, whose name I refrain from giving, though many of you will guess it, was the author of this profound saying: "The best allies are those who refuse to render the services which were expected of them when the alliance was signed, if the sentiments or circumstances which gave birth to it have changed when a *casus fœderis* arises."

If this holds good of all alliances, it is more especially true in respect of the alliance concluded under Article 10 of the Covenant of the League, and I am glad that the Canadian proposals have provided the Assembly with an occasion for stating clearly in these resolutions that the responsibility for the execution or non-execution of the commitments of Article 10 devolves upon the constitutional authorities of the individual States.

This fact brings home to us the magnitude of the task, even outside the circle of this Assembly, which we are called upon to undertake; all those amongst us, who, like the Belgian delegates, are convinced supporters of Article 10, regard it as one of the conditions essential to the prosperity and life of their countries.

For four years there has been a movement to suppress Article 10. It has at length been definitely established, together with a commentary which

removes many of the ambiguities and will do away with many criticisms. And now it is essential that this article should be given more vital force. In every country we must recall the reasons which led the neutral States to group themselves, first about the victor States, and, later, around the vanquished States of the Great War, with a view to assuring mutual assistance against the return of war.

It is imperative that these great memories should be revived in every country. It is imperative that every one of our peoples should be made actively aware of the necessity which has led us to sign this great Covenant, so that if, in the hour of danger, it should have to be put into effect, we may find ourselves united as we were in 1919, to prevent the return of the crime of war. (*Applause.*)

53. — SUBSTITUTE DELEGATE FOR SPAIN : APPOINTMENT OF M. BOTELLA.

The President :

Translation : The Spanish delegation has informed me that M. Botella has been appointed substitute-delegate to the fourth Assembly.

54.—DEATH OF THE HON. CHARLES TUFTON.

The President :

Translation : Ladies and gentlemen—Yesterday evening we learned with great sorrow that the British delegation had suddenly lost its chief assistant, the Hon. Charles Tufton.

Ever since the beginning of the League, Mr. Tufton has taken part regularly in the work of the Council and of the first four Assemblies. He was one of our oldest and most devoted friends.

I am sure that the Assembly will join with me in offering our heartfelt sympathy to the delegation of the British Empire, and to Mr. Tufton's family, on the loss which they have sustained. (*General assent.*)

M. Hanotaux (France) :

Translation : Mr. President, ladies and gentlemen—I venture to think that, in joining with the President in his expression of deep sorrow, the French delegation may be permitted to speak on behalf of all delegations and of the whole of this great family of the League of Nations.

Mr. Charles Tufton, second son of Lord Hothfield, not only took part, as has just been said, in the work of the League since the beginning, but was also at Lord Balfour's side during the Peace Conference. He has thus shown from the first that he was a man who possessed the mind and spirit which unite us all.

Need I remind you of his personal qualities? Who among us was not familiar with them? He not merely looked, but was, a gentleman, a man of kindness and good sense. Whenever we needed information on some point, or had some difficulty to be solved, it was to him that we went. I feel that I am interpreting the feelings of the whole Assembly in offering our sympathy to Charles Tufton's widow and children, and to the British delegation, to whom I should like personally to express my deepest condolence. (*Unanimous applause.*)

Lord Robert Cecil (British Empire):—I have to express my heartfelt thanks to M. Hanotaux and my fellow delegates for their kindness on the present terrible occasion. I will take care to convey to the widow and children of Charles Tufton the words which have been spoken this morning.

I most fully agree with everything which M. Hanotaux said about him. He was to me, not a mere assistant, but a friend. He was the friend of all his colleagues. He was the best type of public servant, wise in counsel, untiring in service, profoundly loyal to his chiefs. He was interestedly devoted to his duties—in one phrase, he was a patriot and a gentleman. No higher praise can be given to any man.

I thank you all most profoundly. The shock has been severe to us all. It is a consolation to know that we have the good wishes and the sympathy of so many friends. I thank you again profoundly.

I will only say, in conclusion, that a religious service will be held in the English Church, where the coffin is now, at half-past six this evening, to which anyone who desires to come will be heartily welcomed.

I thank you all.

The Assembly rose at 1.5 p.m.

THIRTEENTH PLENARY MEETING

Tuesday, September 25th, 1923, at 11 a.m.

President: M. DE LA TORRIENTE Y PERAZA.

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55.—INTERPRETATION OF ARTICLE 10 OF COVENANT: REPORT OF FIRST COMMITTEE: CONTINUATION OF THE DISCUSSION.

The President:

Translation: In accordance with the Agenda, we will now continue the discussion of the report on the interpretation of Article 10 of the Covenant (Annex 12; A. 85, 1923).

I call upon M. Motta, Chairman of the First Committee, and M. Rolin, Rapporteur, to take their places on the platform.

(M. Motta and M. Rolin took their places on the platform.)

The President:

Translation: Sir Lomer Gouin will address the Assembly.

Sir Lomer Gouin (Canada):

Translation: Mr. President, ladies and gentlemen—I listened yesterday with the greatest interest to the

eloquent and brilliant speech of M. Rolin, and I do not think I shall be detracting from the appreciating which you showed by your applause, in interpretation of this applause as a happy augury of your approval of his able and interesting report.

The resolutions now before you are a reply to the Canadian proposals submitted to you by my predecessors from the first Assembly of the League onwards. In 1920 Mr. Doherty asked for the deletion of Article 10. In 1921 he eloquently defended his proposals before the Assembly. In 1922 M. Lapointe asked you to introduce into Article 10 exactly the same amendments as those now before you. In other words, three successive Governments of Canada with different political programmes were agreed in asking that Article 10 should be modified.

Yesterday M. Rolin sketched the history of the procedure which followed our proposals, and the discussions and opinions arising out of them. I think it is clear from this procedure and from these discussions that Article 10 must be modified, at least in its drafting, in order to make its scope perfectly clear or to give it the interpretation which it should bear.

The authors of the Covenant did a great deal of work on Article 10, and there were at different times at least five versions of it. The first was rather lengthy, the second less so, and the third read as follows:—

“The High Contracting Parties shall undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States Members of the League.”

This draft of Article 10 was amended at the last meeting of the League of Nations Committee, and was finally amended at the Peace Conference, when it read as it does to-day.

In our amendment, we request that the following words should be added at the end of the article:—

“taking into account the political and geographical circumstances of each State”;

Article 10 is, I said, the standard, the pediment, the pillar, the foundation of the League of Nations. It is the corner-stone, the sign-post which shows the way to be followed by the new international law which is most nobly and most completely realised in the League of Nations.

France has not abandoned the convictions which she expressed here last year. From the outset she has consistently endeavoured to give practical force to the decisions of the League and to ensure their execution. No one can have forgotten the efforts made to this end, during the drafting of the Covenant, by M. Léon Bourgeois, whom the French delegation has the great honour of welcoming as its chief to-day.

Speaking quite frankly, France would have preferred that there should have been neither amendment nor interpretation. If to-day she accepts an interpretation, it is because certain new facts have arisen of which I propose to give you an account.

In the first place, there is the firm attitude adopted by the Canadian delegation. Sir Lomer Gouin mentioned just now the tenacity and perseverance of his country's delegation. We cannot but render a tribute to these qualities. From the outset, at each Assembly, Canada has urged that the obligations incumbent upon her under Article 10 should be more precisely defined. The Canadian delegation presses us for a reply, and to meet these reiterated and persistent pleadings with absolute silence would surely be an act of great discourtesy. Such a refusal to reply would cause especial regret to France. We are grateful to the millions of French Canadians—since they are known by that name—for having preserved, far away beyond the seas, a centre of French culture. We have been deeply stirred by the splendid representatives of this great and refined culture which Canada has sent us—M. Lapointe last year and this year Sir Lomer Gouin. We have feelings of special kindness towards these Canadians who, while displaying loyalty and devotion to their new mother-country, have not been unmindful of their old. In the closing words of his speech, Sir Lomer Gouin asked us to acknowledge the qualities of the two great races which compose to-day the people of Canada.

The able, touching and urgent manner in which Sir Lomer Gouin advocated his case to-day compels us to reply. France will abandon passive resistance. She will go still further and vote for the Canadian resolution. She hopes that those delegates who have opposed the recommendation of the First Committee will decide to follow her example, or at least agree to abstain from voting, in order not to prevent the unanimity which has practically been obtained in the Assembly.

Sir Lomer Gouin said just now that the Canadian delegation asked its associates to explain the terms of the contract which bound them together. He added in the First Committee that he trusted that Canada would not be considered of so little account as not to be worthy of an answer.

We cannot let Canada depart with this feeling of bitterness, for which, there would, indeed, be ample justification. We do not need to invoke the legal equality which is the guiding principle of the Assembly in order to pay to the Canadian people the tribute which is their due.

I should add that in the First Committee Sir Lomer Gouin made an appeal to the whole Committee, an appeal, however, which found a special echo in the heart of the French representative. He said: "Can you have forgotten that, to defend the right, we came to your side; that, to defend the right, 600,000 Canadians enlisted as soldiers; that, to defend the right, 60,000 Canadians are to-day sleeping their last sleep?" And we, too, bow our heads in sacred memory before their graves.

No, Sir Lomer Gouin, France cannot remain deaf to the appeal of a country which has sent 60,000 of her sons to sleep side by side with our sons on that tragic and hallowed battle-line which is engraved deep on our memory, because through four long years our anguished eyes followed its changing course—that line which to-day is strewn with funeral monuments from the mountains of the Vosges to the sands of Nieuport.

Apart from these special ties which bind us to Canada, there is this further fact: the amendment has been withdrawn; in its stead we are asked to accept an interpretation—a concession on the part of Canada requiring a corresponding concession on the part of France.

Sir Willoughby Dickinson has improved the wording proposed by the Sub-Committee, and it was a special pleasure to us to be able to concur in a text which was accepted by Canada, amended by England, and supported by France.

The text in question elucidates Article 10; it does not weaken it.

No provision, however clear or categorically worded, can survive unless the opinion of the whole world is profoundly convinced of the need for it. It is public opinion which gives life to the dead letter of words; it is public opinion which preserves them; it is public opinion which will one day repudiate them. It is a fact that in the New World public opinion was largely imbued with the fear that the New World might become involved in the quarrels of the Old. Article 10, as interpreted by the text submitted by the First Committee, lays down the principle that the affairs of the continents shall not be interdependent. Pascal, speaking with his sublime irony of truth, once said: "*Vérité en deçà des Pyrénées. erreur au delà*" ("Truth and error are divided by the crest of the Pyrenees"). An attempt is being made to-day to follow the method which Pascal described in such scathing terms, and to set the shores of the ocean as a boundary to right and justice. But events of the last year have, I think, demonstrated the legal and moral solidarity, the absolute solidarity of the whole world, and so we believe that the endeavour to prove that right and justice are bounded by the ocean waves will be vain.

Last year, in reply to a speech which I had the honour of making from this platform, Mr. Fielding, the delegate of Canada, said: "It was not our intention that our amendment should facilitate the long-expected entry of the great democracy into the League of Nations." But this year there has been a certain tendency in the Assembly to think that this interpretation would be a step towards making the League universal. In these circumstances, and for this further reason, France has thought it right to abandon her opposition, mindful of the words in the Gospel: "There is more joy in Heaven over one sinner that repenteth, than over ninety and nine just persons which need no repentance."

I would point out that the text of Article 10 as amended by Sir Willoughby Dickinson twice repeats the word "obligations," and that it also once contains the word "engagements."

The obligation therefore exists; the respective Parliaments must draw the practical conclusions. This does not, however, imply that in this matter the authority of the Parliaments is absolute and arbitrary. The law exists and must be obeyed, but there are moral spheres over which the law ceases to possess material authority.

"*Quis custodem custodiet?*" ("Who will guard the guardian?") It is for Parliament to decide how far it may be possible to grant the credits necessary for the execution of these engagements.

In adhering to the Covenant the States have not abandoned their constitutional principles. In all constitutional countries the consent of Parliament is

necessary for military expeditions abroad, and consequently the interpretation submitted by the First Committee, which the Assembly should unanimously endorse, reconciles the principles of law with the irresistible force of facts.

Certain doubts, however, still subsist, and these have been voiced by the representatives of Panama and Persia. Some countries which are young or adolescent, or which are reviving after a period of weakness, have joined us and have adhered to the League in order to place themselves under the protection of Article 10. The proposed interpretation causes them some anxiety. I would say to them, in the words used by Sir Lomer Gouin: There is no ground for this anxiety, but, if you still harbour legitimate doubts, a way is open to you which will allay them. Adhere to the Treaty of Mutual Guarantee which is in course of preparation in the Third Committee. This Treaty will set at rest all your doubts. It makes the Council the ultimate judge of what constitutes a *casus jaederis*; it invests it with the power of determining for each nation which gives assistance the strength of the forces which it must contribute.

Further, there is the essential fact that Article 10 will remain intact in the Covenant, the fundamental law of the League of Nations. As drafted it has a twofold bearing—negative and positive.

First, there is a negative obligation—to respect the territorial integrity of States. Had we attempted to say that the condition of the world, as settled by the Treaties, is fixed for all time and until the extinction of the human race, we should doubtless have deserved the reproach of Utopianism, which is sometimes, in ignorance or malice, levelled against us.

That is not the meaning of Article 10. It does not set out to dam the stream of history, to convert it, as it were, into a stagnant lake or marsh; it aims only at canalising the waters of history by laying down that, if there must be territorial modifications, they shall be carried out by means of peaceful negotiations under the protection and auspices of the League.

Secondly, there is a positive obligation—to preserve the territorial integrity of the States. This means that any outrage committed against any one of them, or any violation of law and justice suffered by any one of them is, in the ancient sense of the word *injuria*, an injury against all nations which have adhered to the Covenant.

In conclusion, Article 10 will remain part of our fundamental law, signifying the expression of the principle of the new international law, and like the articles of the *Déclaration des Droits de l'Homme et du Citoyen*, which stern necessity has imposed throughout the world, it will gradually take firm root in the conscience of mankind. (*Loud applause.*)

The President :

Translation: M. Limburg, delegate of the Netherlands, will address the Assembly.

M. Limburg (Netherlands) :

Translation: Mr. President, ladies and gentlemen—I shall not reopen the discussion of Article 10, which took place in the First Committee when the proposed resolution was drafted.

On behalf of the Netherlands delegation, however, I desire to make the following declaration, which is, moreover, as I believe, in conformity with the essential purport of the brilliant report submitted yesterday by our eminent colleague, M. Rolin.

If the Netherlands delegation is able to concur in the interpretative resolution proposed by the First Committee, it is because it is understood that this resolution is applicable solely to the Canadian amendments, and that it only gives an interpretation in respect of questions raised by those amendments.

Any other questions which might arise out of Article 10 remain unaffected. For instance, the question whether each State is free to determine whether the circumstances are such as to enforce an obligation to preserve the independence and territorial integrity of Members is left undecided by the interpretative resolution proposed by the Committee.

Subject to this reservation, the Netherlands delegation is able to accept the proposed resolution. (*Applause.*)

The President :

Translation: M. Pusta, delegate of Esthonia, will address the Assembly.

M. Pusta (Esthonia) :

Translation: Mr. President, ladies and gentlemen—I have only a few words to say in explanation of the manner in which Esthonia intends to vote in regard to the Committee's proposal.

At this present moment I could only wish that I were a more eloquent and persuasive speaker, that I might tell you that Esthonia, like many other small countries, I believe, attaches no inordinate importance to Article 10 or to its application. A simple "Yes" would perhaps best express the practical commonsense which is a salient characteristic of the Esthonian people. We agree, however, with M. Rolin, the Rapporteur, that Article 10 is the most Wilsonian and the most fundamental article in the Covenant. We wonder whether the interpretation which has been suggested to us by the First Committee and so ably advocated by M. Rolin, really represents everything that was in the mind of the author of the article, and whether it expresses the idea of the States which accepted it on their entry into the League.

We are not convinced—above all, after listening to the speech by M. Barthélemy, the delegate of France—that this interpretation, when once adopted by the Assembly, will not constitute merely an amendment to Article 10, which may be called, as M. Rolin said yesterday, the oldest article in the Covenant. The Esthonian delegation is unable to vote for any amendment of this article. For this reason the Esthonian delegation, although, in principle, it is in favour of defining more exactly the duties incumbent upon the Members of the League under the terms of the article, must nevertheless abstain from voting. (*Applause.*)

The President :

Translation: M. Politis, delegate of Greece, will address the Assembly.

(*M. Politis mounted the platform amidst the applause of the Assembly.*)

M. Politis (Greece) :

Translation: Ladies and gentlemen—On behalf of the Government which I have the honour to represent, I beg to inform you of our full and unreserved adherence to the proposal of the First Committee.

The clear and convincing arguments advanced yesterday by the Rapporteur of the Committee, and to-day by my distinguished friend, M. Barthélemy, make it superfluous for me to dwell upon the general aspects of the question.

These gentlemen have shown that the interpretative resolution which you are asked to adopt in no way lessens, but on the contrary increases, the force of Article 10, inasmuch as it is intended to define both the rights and the duties of the Members of the League.

This interpretation has the great advantage of allaying certain apprehensions which have been shown. It has the further advantage of enabling us to

hope that it may facilitate the entry into the League of that great Republic of which we are all thinking.

I desire, however, to make an appeal more especially to the Members of the League which are in the same military position as the country which I represent. I wish to say to them in all earnestness that they may accept the proposed interpretation without any misgivings for the future.

A text to which greater value is attributed than in actual fact it possesses involves the risk that it may cause bitter and cruel disappointment when it is applied. There can be no greater danger, in particular for those to whom it is essential that their rights should be respected, than to rely on a text which promises, or appears to promise, much, but which does not in fact bear the meaning attributed to it. The proposed interpretation enables each of you to know exactly where he stands, and it may be affirmed that the meaning of Article 10 assuredly enables the States to which I refer to safeguard their existence and their territorial integrity.

As M. Barthélemy has forcibly stated, this interpretation upholds the idea of obligation—the idea also that the Council is to examine with due attention any difficulties which arise, and make appropriate recommendations to the States. It is also laid down in the interpretation that the Council's recommendations have very great importance and very great significance for the Members of the League, and that the latter, retaining sovereign powers and freedom to form an estimate of the circumstances, will only be called upon to consider the methods of applying these recommendations.

If I dwell on this point, it is because certain States still display anxiety and stand apart from the great body of opinion in the Assembly. They fear that this interpretation may lessen the guarantees on which they had based all their hopes when entering the League of Nations. Let me tell them that they will not strengthen the guarantees contained in Article 10 by rejecting or bringing about the rejection of the proposed interpretation. The interpretation which the Committee proposes to us, and which I hope we shall soon unanimously adopt, will, even if it is not officially confirmed to-day by the Assembly, assuredly be the accepted interpretation if Article 10 were ever actually put into practice. Nothing, therefore, is to be gained by opposing the final acceptance of this interpretation.

On the other hand, the States to which I am speaking will derive a twofold benefit from accepting this interpretation. In the first place, they will have the advantage of knowing exactly where they stand in regard to Article 10; a further advantage lies in the fact that if the article requires to be supplemented or needs any addition, it would be impossible for these to be framed unless the exact significance of the article had been determined. To-day we know what it means, and if experience shows that it would be advisable or necessary to supplement it, we shall know the lines on which to proceed.

These are two vital arguments which should, I think, induce all the smaller States represented here to accept the interpretation proposed by the First Committee. If, however, this statement of our case does not convince them, I venture to say to those who are still hesitating that they will sufficiently protect their responsibilities if they abstain from recording their vote. This is the only attitude that concords with the spirit of conciliation which inspires and should always inspire the League of Nations. All Members of the League should act in accordance with this spirit, by paying due regard to the general opinion of the League, and should not endeavour to prevent this opinion from being permanently recorded. The shrewdness, sagacity and high-mindedness of the delegates who have laid their anxieties before us—and I am thinking particularly of the representative

of Persia—will, I am confident, lead them to respond to my appeal to the spirit of conciliation, so that the proposal of the First Committee may be adopted unanimously—that is, without definite opposition.

It is this wish that I desire to express from this platform, and I conclude with the firm hope that it may be realised. (*Loud applause.*)

The President :

Translation: Sir Willoughby Dickinson, delegate of the British Empire, will now address the Assembly.

Sir Willoughby Dickinson (British Empire):—It is unnecessary for me to add a single word either to the very lucid explanation which has been given by M. Rolin or to the conclusive arguments in favour of this proposal which have been given by M. Barthélemy.

The delegates of Persia and Panama have stated that they intended, at any rate at that moment, to vote against the interpretation, because they felt that it might weaken the effect of Article 10. I think the speeches to which we have listened since then must have convinced everyone that this would not be the case. If anything we were doing were to weaken the effect of Article 10 no member of the British delegation would support this proposal, because Great Britain attaches and always has attached the utmost importance to the maintenance of this article and to the assertion, without any shadow of doubt, of the obligation that rests on all the Members of the League to support one another.

All I wish to say is that we are convinced that there is no weakening of Article 10, and therefore we support whole-heartedly the proposal of the First Committee.

I venture to make one practical suggestion to those delegates who may be hesitating with regard to their vote to-day. What will happen if this interpretative resolution is not accepted or if it is accepted without the support of a considerable number of the Members of the League? If it is accepted, this question once and for all is settled. If not, we can only foresee that next year and in future Assemblies we shall always be faced with the question, and we shall be faced with demands for amendments of the Covenant which up to the present we have been able to avoid.

Is it not better that we should definitely close this dispute? For four years there has been discussion inside the Assembly and outside the Assembly as to the effect of Article 10. Now we have a chance once and for all of putting that matter out of our thoughts and of arriving at a unanimously satisfactory conclusion.

There has been too much uncertainty as to the obligations of the Members of the League to preserve each other's territory against aggression. Let us to-day decide on an interpretative clause which at any rate will put an end to this discussion for some time to come.

Speaking on behalf of the British delegation, I am entitled to say that we believe there is will be no weakening of Article 10 by the adoption of the interpretative resolution, and we hope that it will be adopted with unanimity. (*Applause.*)

The President :

Translation: M. Motta, delegate of Switzerland, will address the Assembly.

M. Motta (Switzerland), Chairman of the First Committee:

Translation: Mr. President, ladies and gentlemen—I beg to address you for a few moments, not in my capacity as delegate of Switzerland, but as Chairman of the First Committee.

This debate has been an exhaustive one. However, I should like to state most clearly and categorically

that those of you who still entertain the idea that the proposed interpretation would weaken Article 10 are greatly mistaken. The resolution before you is merely of an explanatory nature, and neither strengthens nor weakens Article 10.

For four years Canada has asked for a definition whereby to allay the anxiety of her people and authorities. We are obliged to give this definition and interpretation by stating precisely what Article 10 means.

The first paragraph of the resolution before you merely states that when the Council has to make a recommendation with regard to Article 10 it should take account, more particularly, of the geographical situation and special conditions of each State. This seems self-evident; the Council could never act without taking these two factors into account.

The second paragraph proclaims the fundamental principle of the Covenant—that of the sovereignty of States. M. Limburg, in his remarks on this subject, has expressed the view which the Committee believes to be held by all supporters of the interpretative resolution.

The very idea that the League is an association of sovereign States, and does not form a super-State, implies that when a State considers whether and to what extent it should share in military operations, it does so in a fully independent capacity.

The third paragraph of the resolution is to some extent complementary to paragraph 2, and states that, while every State is sovereign, it has nevertheless a high moral obligation to fulfil its engagements—first of all to gauge them, and then to execute them sincerely and in good faith.

Such is the meaning of the resolution submitted to you, which can thus be accepted without misgiving by every delegation.

The situation, then, is as follows: The delegates of France and Great Britain have just declared that they will vote for the resolution, and the delegates of Italy and Japan on the First Committee have done the same. We know therefore that the Great Powers permanently represented on the Council have agreed as to the interpretation which we have placed before you. This is a factor of very considerable importance when considering the advisability of voting against the resolution or abstaining from voting.

Only two delegations which have spoken—those of Persia and Panama—have declared themselves opposed to the resolution, and their objections are, in my opinion, based on an erroneous conception of the case.

Certain other delegations may wish to abstain from voting, and of course they are perfectly free to do so, but as Chairman of the Committee I would appeal to the delegations of Persia and Panama, in a spirit of deepest sympathy and friendship, not to render a unanimous resolution of the Assembly impossible by adopting a definitely hostile attitude.

If, however, despite this earnest appeal—which I am persuaded is one to which they can respond—they maintain their antagonistic attitude, the only possible outcome will be that a very large majority of this Assembly will have voted in favour of the Committee's interpretation; all the Great Powers will have shown their approval by their attitude, and in any case, should occasion ever arise for the application of Article 10, the Council will, without a shadow of doubt, consider the proposed interpretation as the one by which they must abide.

In these circumstances we can hardly believe that these two States will see any reason for further opposition, and therefore, in a spirit of sincere friendliness to all the delegations, I would beg them to make it possible for the Assembly's vote to be unanimous. (*Applause.*)

The President :

Translation: The Emir Zokaed-Dovleh, delegate of Persia, will address the Assembly.

The Emir Zokaed-Dovleh (Persia):

Translation: Mr. President, ladies and gentlemen—I should like first of all, on behalf of the Persian delegation, to thank M. Motta, Chairman of the Committee, for the warm words of sympathy which he has addressed to my Government.

Yesterday we heard the eloquent speech of the distinguished delegate of Belgium, the Rapporteur of the First Committee, and this morning my colleague has explained my Government's point of view, and has told you that our attitude is in conformity with the strict and definite instructions which we have repeatedly received from Teheran. In these circumstances you will realise that we could not act otherwise than as we have done.

However, we have noted that a large majority of States, and particularly the Great Powers, are prepared to vote for the resolution under discussion. Can it be—as has already been suggested—that certain Governments consider our attitude a proof of hostility or obduracy in regard to the activities of the League?

The delegates of Persia are well known to you; for four years they have shown that they are working to secure peace and to give the League the power which is essential to it. They have expressed themselves to all with frankness, but also with friendliness; they have never wished to attack or give offence to anybody; and we therefore trust it will not be thought that we wish to raise difficulties with regard to the question now before us.

I hope that you will reconsider this question in a spirit of sympathy for Persia, a country of such ancient civilisation.

The delegate of France has expressed the sympathy of his country for Canada, and we in Persia share his feelings for that great democracy, and trust that we shall continue the friendly relations with her which we have always maintained.

Canada is playing her part in the work of civilisation, and Persia will never attack any country, great or small, for in our opinion every State and every nation has the right to live in liberty and peace, and to fulfil its duties.

But in our opinion, a small nation is not invariably obliged to follow the example of the great. While we have the highest respect and affection for the great nations, and wish to work in concert with them and to co-operate in our common task under their ægis, there is one thing which it is our steadfast desire to preserve—our independence and our neutrality towards all alike.

I will now return to Article 10 of the Covenant.

Why is it that Persia cannot accept any modification of this article? As you have already been told, she is surrounded by States such as Russia, Turkey and Afghanistan, which are not yet Members of the League.

She entered the League to safeguard her independence and the integrity of her territory, and to co-operate in the work of civilisation and peace, in order that a neutral country like ours should not again suffer the consequences and evils of such a scourge as the late war, which cost her in all more than half a million of her inhabitants and more than four milliards of money, and this despite the fact that she was not a belligerent.

For these reasons our Government has so far been unable to accept, and therefore insists on our voting against, any interpretation or modification of Article 10 of the Covenant.

I am sorry to find that our objection has been misunderstood; nevertheless, we wish to show once more that we are open to reason. I beg the Assembly to adjourn the vote on this question until the end of the present session. We will send an urgent telegram to our Government, recommending it to agree to the proposed interpretation. We will explain that we ought to co-operate with the great majority of the Assembly, and we hope to convince it by explaining that if the

Treaty of Mutual Guarantee really becomes a useful instrument, as everyone appears to hope, the League will in this way have established a positive form of guarantee.

I do not know, of course, how many States will agree to sign this Treaty of Mutual Guarantee, but I can assure you that Persia will do so, and will thus give proof that she wishes to see the League strong and consolidated. I am doubtful, however, whether you can give us an assurance that the Treaty of Mutual Guarantee will soon enter into force, as I understand that there is still opposition to it in certain quarters.

On the other hand, we have not forgotten the eloquent appeals made by M. Zahle, Dr. Nansen and Professor Gilbert Murray during a certain recent incident, when many of us were beginning to despair, and some people even talked of the end of the League.

The position of the League is delicate. It is our duty to defend it and to save it by all the means in our power. I am sure that the Great Powers will do all that they can towards that end and that the small nations will give them every possible support.

In conclusion, I would once again urge that the vote on this question should be deferred until the end of the session. We will advise our Government to agree to the resolution on the interpretation of Article 10 of the Covenant, on the ground that we hope that the Treaty of Mutual Guarantee will be ratified in the near future and will give to the whole world the guarantees which are not found in Article 10.

I understand that the delegation of Panama has decided to abstain from voting; if the Assembly will agree to our request to adjourn the voting, I think that the question will be decided as M. Motta wishes. (*Applause.*)

The President :

Translation: Does anyone wish to speak? If not, the debate is closed.

I beg to ask the Assembly for its views upon the Persian delegate's proposal to adjourn this question.

Sir Lomer Gouin, delegate of Canada, will address the Assembly.

Sir Lomer Gouin (Canada) :

Translation: I would ask the Assembly to reject the Persian delegate's proposal to adjourn.

It would appear that, with the exception of Persia, all the Members of the League favour the adoption of the resolution proposed by the First Committee. The Persian delegation might provisionally abstain from voting, or might vote against the resolution; it could, later, after having consulted its Government, modify its vote, if necessary, within three days.

In any case, the Canadian delegation would be opposed to the Assembly running the risk involved in adjourning for three or four days the vote on the resolution relating to the interpretation of Article 10 of the Covenant.

The President :

Translation: M. Motta, Chairman of the First Committee, will address the Assembly.

M. Motta (Switzerland), Chairman of the First Committee :

Translation: As Chairman of the Committee, I have endeavoured to reconcile divergencies of opinion. I note with great pleasure that the appeal which I made, on behalf of the Committee, to the delegations of Persia and Panama has been heard.

The Persian delegate has stated that he may, two or three days hence, be in a position to vote for the resolution, or, at any rate, to abstain from voting, whereas, if forced to take a decision to-day, his only

course would be to vote against the resolution, in compliance with the formal instructions from his Government.

It is a matter of considerable importance that the resolution should be legally valid. I have, moreover, already laid stress on the point that, even if it were not legally valid, the resolution would still be of great moral value.

I propose that the Assembly should consider the discussion as finally closed, but should postpone voting until a meeting in the near future, not later than the opening of the meeting on Friday. I appeal to the distinguished delegate of Canada to accept this friendly counsel, as I am convinced that reflection will only strengthen the desire of all delegations to adopt the proposed resolution.

Sir Lomer Gouin (Canada) :

Translation: I should be extremely glad if I could accept the proposal made by the Chairman of the First Committee. After mature consideration, I am still of the opinion that it is extremely important for the Assembly to take a vote to-day.

It might perhaps be possible for the vote to remain open so far as Persia is concerned. If, however, this procedure is not in accordance with the rules, I would respectfully suggest that the Assembly should take a decision on the resolution to-day, whatever the consequences of the vote.

The President :

Translation: It is impossible for Persia's vote to remain open.

In these circumstances, and as Sir Lomer Gouin still maintains his proposal, I would ask the Assembly for its views as to whether it wishes to postpone or not the vote on the resolution submitted by the First Committee.

(*The Assembly decided against postponement by 19 votes to 18.*)

The President :

Translation: In accordance with this decision, I shall now ask the Assembly to vote by roll-call on the interpretative resolution, the text of which is as follows:—

The Assembly,

Desirous of defining the scope of the obligations contained in Article 10 of the Covenant so far as regards the points raised by the delegation of Canada, adopts the following resolution:

It is in conformity with the spirit of Article 10 that, in the event of the Council considering it to be its duty to recommend the application of military measures in consequence of an aggression or danger or threat of aggression, the Council shall be bound to take account, more particularly, of the geographical situation and of the special conditions of each State.

It is for the constitutional authorities of each Member to decide, in reference to the obligation of preserving the independence and the integrity of the territory of Members, in what degree the Member is bound to assure the execution of this obligation by employment of its military forces;

The recommendation made by the Council shall be regarded as being of the highest importance, and shall be taken into consideration by all the Members of the League with the desire to execute their engagements in good faith.

(*The vote was taken by roll-call, members answering "Yes" or "No" or "Not voting" from their seats.*)

M. Amador (Panama):

Translation: I shall abstain from voting, but I still maintain my view on the question.

The President :

Translation: Gentlemen—The following is the result of the ballot :—

The following States voted for the interpretative resolution:

Australia, Austria, Belgium, Brazil, British Empire, Bulgaria, Canada, Chile, China, Cuba, Denmark, France, Greece, Hungary, India, Ireland, Italy, Japan, Luxemburg, Netherlands, New Zealand, Norway, Portugal, Salvador, South Africa, Spain, Sweden, Switzerland, Uruguay.

Total 29

The following State voted against the interpretative resolution:

Persia.

The following States were absent or abstained :

Albania, Argentine, Bolivia, Colombia, Costa Rica, Czechoslovakia, Esthonia, Finland, Guatemala, Haiti, Honduras, Latvia, Liberia, Lithuania, Nicaragua, Panama, Paraguay, Peru, Poland, Kingdom of the Serbs, Croats and Slovenes, Siam, Venezuela.

Total 22

For the resolution 29
Against the resolution 1
Absent or abstaining 22

A resolution containing an interpretation of an article in the Covenant can only be adopted by a unanimous vote.

As unanimity has not been obtained, I am unable to declare the proposed resolution adopted.

In accordance, however, with a precedent which arose in a similar case, I shall not declare the motion

rejected, because it cannot be argued that, in voting as it has done, the Assembly has pronounced in favour of the converse interpretation.

I accordingly declare the proposal not adopted.

It may nevertheless be advisable that the result of the voting and names of the members who voted should be communicated to the Council, which may regard the result as important.

I propose, then, that the result of the voting on the draft resolution should be communicated to the Council. (*Assent.*)

56.— WORK OF ASSEMBLY: COMMUNICATION BY THE PRESIDENT.

The President :

Translation: Ladies and gentlemen—At this point in our discussions I should like to say a few words on the progress and conclusion of the Assembly's work.

There is, I think, a general desire among delegations to close the session next Saturday. As there are still several reports to be submitted and various questions to discuss, and as we still have to elect the non-permanent Members of the Council, I think that we can hardly finish in time unless speakers will voluntarily agree to restrict as far as possible their observations on subjects which have already been fully examined in the various Committees.

Precedents may be found in the usage of earlier Assemblies.

I therefore venture to ask the Assembly to decide that the ten-minute rule should come into force as from the next meeting.

I would also like to offer the suggestion that Rap-porteurs should save themselves the trouble of reading in full reports which have already been printed and distributed in the two languages.

If there is no objection, I shall regard these suggestions as adopted by the Assembly. (*Assent.*)

The Assembly rose at 1.30 p.m.

FOURTEENTH PLENARY MEETING
Wednesday, September 26th 1923, at 3.30 p.m.

President: M. DE LA TORRIENTE Y PERAZA.

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**57.—AMENDMENTS TO COVENANT: REPORT OF
FIRST COMMITTEE: RESOLUTION.**

The President :

Translation: The first item on the Agenda is the discussion of the report of the First Committee on Amendments to the Covenant (Annex 13; A. 91, 1923). I call upon M. Motta, Chairman and Rapporteur of the First Committee, to take his place on the platform.

(M. Motta took his place on the platform.)

M. Motta (Switzerland) :

Translation: Mr. President, ladies and gentlemen—You have before you the First Committee's proposal. The Committee decided not to submit a written report, but to delegate to its Chairman the task of explaining to you orally the meaning and bearing of the proposal which it is submitting to you. I have therefore the honour to make a verbal report, which will be extremely brief.

The question at issue is a simple one, but I also venture to state that it is, as I am fully convinced, both serious and delicate in character, and also of great importance for the future development and prosperity of the League of Nations.

The delegation of New Zealand put forward a motion suggesting that the question of amendments should be referred for study to the First Committee, which should also be asked to suggest a solution. The New Zealand delegation considered that one of the principal reasons for the difficulties which confront us in discussing the entry into force of the amendments lies in the fact that, by the terms of the Covenant, no amendment can come into force until it has been ratified by the unanimous vote of the Members of the Council; therefore—if I have understood it aright—the intention of the New Zealand delegation was that the First Committee should consider a fresh amendment, the effect of which would be to modify the Covenant and abolish the necessity for ratification by the unanimous vote of the Members of the Council.

This aspect of the question was examined by the Committee of which I have the honour to be the Chairman, and we decided, for two reasons, not to examine the amendment.

The first reason was that we still have before us various amendments voted by the Assembly of 1921; so far not one of them has come into force, and the best and most advisable course would appear to be not to vote any more amendments to the Covenant until at least one of the amendments adopted in 1921 has definitely entered into force.

The second reason was that the States which have a seat on the Council could hardly be expected to allow their position and authority to be weakened. If only one of these States were to record its objection, this would suffice to nullify in advance, as it were, any amendment such as the one contemplated.

We have accordingly altogether abandoned this idea. The remedy for the situation is, I think, infinitely simpler, and is quite within our reach. The amendments in question, which are of particular interest to us, are those relating to Articles 4, 6 and 26 of the Covenant. The others, referring to Articles 12, 14 and 15, are no doubt very important, but can hardly compare with the former in significance and scope.

The amendment to Article 4 concerns the election of the non-permanent Members of the Council. I shall not dilate upon this subject, as it was discussed at great length yesterday by the First Committee, which has appointed a special Rapporteur who will acquaint the Assembly at an early date with the conclusions

of the Committee. I need only say that we shall not be able to establish satisfactory rules for the election of the non-permanent Members of the Council if the amendment to Article 4 does not enter into force.

The amendment to Article 6 deals with the allocation of expenses. We have arrived at a provisional solution of the difficulties presented by this question. According to Article 6, as it stands at present, the expenses of the League ought to be allocated in accordance with the scale in force for the Universal Postal Union—a scale which the Assembly unanimously recognised as unfair. The amendment to Article 6 aims at giving the Assembly the power to establish a different scale from that of the Universal Postal Union. We must not delay too long in finding a remedy for the clear cases of injustice involved in the use of the Universal Postal Union scale.

Pending the coming into force of the amendment to Article 6, the delegations have mutually pledged themselves to a friendly arrangement. They have unanimously accepted a provisional allocation. In this way the allocation of the expenses of the League for 1923—and, I believe, for 1924 too—have been fixed, not in accordance with the Universal Postal Union scale, but with a provisional ruling which has been unanimously accepted by the delegations. This state of affairs is, however, inconsistent with the letter of the Covenant. It is of vital importance that the amendment to Article 6 should come into force.

Article 26 lays down the procedure for revision. I ventured to deal with this question when speaking on the report on the work of the Council and the Secretariat. The Netherlands, and, I believe, the New Zealand delegations have already made certain observations with which, I am glad to say, I entirely agree, but it is incontestable that, unless we can find some means whereby the amendment to Article 26 may finally become operative, we shall find our path blocked for several years to come. Such a state of affairs can only bring discredit on the League and impair its prestige.

For these reasons the First Committee considers that it is of the utmost importance to grasp the remedy which is within our reach; this remedy lies in the fact that the amendments only require ratification by a few States in order to come into force. I might go so far as to say that it would be enough if all the Members of the Council would ratify them.

The information which we have received proves that the Parliaments of the various countries have already carried out their part of the work. While almost all of them have authorised their Governments to ratify the amendments, some of the Governments concerned have not as yet deposited the ratifications which the Parliaments have authorised.

In our opinion, the simplest thing to do is to request the Secretary-General of the League immediately to communicate with the heads of the delegations in question begging them to urge upon their Governments the imperative necessity of making the ratification, which they have delayed for many months, an accomplished fact.

As early as 1922 the Assembly passed a recommendation to the Council to the effect that the entry into force of amendments was a matter of great importance, on which the future of the League to a considerable extent depended, and it therefore begged the Council to make all possible haste in order that the Governments might, in their turn, do the same.

I hope that you will not imagine that the Committee desires to find fault with anybody, or to admonish or rebuke the Governments concerned. All States are sovereign; they are entitled to act solely at their own discretion, and any resolution by the Assembly which might be in the nature of a censure passed upon any State whatsoever would be inconsistent with the spirit of the Covenant—that Covenant which is based upon the entire and absolute sovereignty of States.

We merely desire to appeal to the spirit of friendliness, to mutual good feeling, and to urge upon all Members the importance of safeguarding our common work; I have no doubt that when we meet again next year we shall find that the proposal made by the First Committee has attained its object and that this question will no longer trouble us. Our difficulties will be at an end, and we shall to some extent have made smooth the way for the object of our profound affections, the League of Nations. (*Applause.*)

The President :

Translation: Does anyone wish to address the Assembly?

If no one wishes to speak, the discussion is closed.

The resolution is as follows:—

Whereas, under the terms of Article 26 of the Covenant, the entry into force of amendments to the Covenant is conditional upon their ratification by the Members of the League whose representatives compose the Council and by a majority of the Members of the League whose representatives compose the Assembly;

Whereas, for the entry into force of the amendments voted by the second Assembly to Articles 4, 6, 12, 13, 15, and 26, there is now lacking only a very small number of the ratifications required by the Covenant;

Whereas, according to information obtained, the requisite constitutional measures are in fair way of being completed in those States whose ratifications are still necessary;

Whereas, on the other hand, it would be desirable in the interest of the authority of the League of Nations that the amendments which have been voted should obtain a larger number of ratifications;

The Assembly requests the Secretary-General to enter into communication with the delegations of all Members of the League which have not yet deposited ratifications to the amendments referred to in the second paragraph above, and to request them to intervene with their Governments in order to induce the latter to expedite, if possible, the ratification of the said amendments and to express, if they think proper to do so, their intention with regard to the ratification of the amendments to Article 16.

If no objection is made, I shall consider this resolution adopted.

(*The resolution was unanimously adopted.*)

58.—MANDATES: ADOPTION OF RESOLUTION OF SIXTH COMMITTEE.

The President :

Translation: The next item on the Agenda is the examination of the resolution of the Sixth Committee in regard to mandates.

I call upon Dr. Nansen, Rapporteur, to take his place on the platform.

(*Dr. Nansen mounted the platform amidst the applause of the Assembly.*)

The President :

Translation: Dr. Nansen will address the Assembly.

Dr. Nansen (Norway), Rapporteur:—Mr. President, ladies and gentlemen—The institution of mandates set up under Article 22 of the Covenant is, I daresay, the boldest and most original of the whole system of

the League of Nations. It is also one of the most beneficial, provided that two conditions are fulfilled. The first is the goodwill of the Mandatory Powers to carry out their obligations and to report sincerely and fully on their administration. The second is that the administration is supervised on behalf of the League by a body which is both competent and impartial. I am happy to be able to declare, judging from the report of the Mandates Commission which is before us, that these two conditions have been and are being fulfilled. The Mandatory Powers are doing their very best in spite of the great expense involved. Their annual reports show constant efforts towards improvement, and give evidence of their great respect for the League of Nations.

May I take this opportunity to endorse the recommendation made by the Mandates Commission that 100 instead of 20 copies of the reports of the various Mandatory Powers should, in future, be sent to the Secretariat, so that all States Members of the League on whose behalf the mandated territories are administered shall be informed of the details of the administration.

The Mandates Commission has just held a session lasting twenty-two days. It carefully discussed the mandate problems and the reports sent in by the Mandatory Powers. It has shown great competence and at the same time great independence, courage and tact. It is impossible for us to examine all the observations and recommendations made, but there is no doubt that the Council will examine them with all the care they deserve, and will transmit them to the Mandatory Powers, by whom they will be considered.

On behalf of the Sixth Committee, I may also express the hope that the situation in the Bondelzwarts district in the mandated territory of the Union of South Africa will be improved, so that next year we may hear that all existing apprehension has been allayed. May I add that the sincerity and the reality of the League is judged by many according to the effective working of the mandate system?

I will close by reading to you the resolution unanimously agreed upon by the Sixth Committee regarding mandates:

"The Assembly,

"Having taken cognisance of the reports of the Permanent Mandates Commission and of the observations of the duly accredited representatives of Australia, Great Britain, Japan, New Zealand and the Union of South Africa:

"(a) Expresses its satisfaction with the extensive work which this Commission has so conscientiously accomplished and with the notable progress made since the last Assembly in the mandated territories;

"(b) Requests the Commission to pursue its task with the same zeal and the same impartiality;

"(c) Expresses the confident hope that the Commission will continue to enjoy the co-operation of the Mandatory Powers in the work of effecting a continuous improvement in the moral and material condition of the natives, and, in particular, of the women and children, by means of the organisation of general and professional education, the improvement of public health, the equitable remuneration of native labour, and the final abolition, within as short a time as possible, of slavery in all its forms, including its domestic forms;

"(d) Expresses its regret that the Permanent Mandates Commission has not been able to report that satisfactory conditions have as yet been re-established in the Bondelzwarts district and the hope that the future reports of the Union of South Africa will contain such information as may allay all misgivings in this connection."

(Applause.)

M. Matsuda (Japan):

Translation: Mr. President, ladies and gentlemen—We have all noted with keen interest the draft resolution concerning mandates submitted by the Sixth Committee under the chairmanship of M. Hymans.

I take this opportunity of expressing our grateful thanks for the useful work which has been accomplished by the Sixth Committee and its Sub-Committee under the skilled guidance of Dr. Nansen.

I am sure, too, that I am voicing the opinion of the whole Assembly in paying public tribute to the successful work of the Permanent Mandates Commission. With its remarkable impartiality, and aided so effectively by the Governments concerned, it has done a very great deal towards paving the way for the lofty mission of civilisation, brotherhood and mutual help which is the end and aim of the mandates system.

As regards the Japanese Government, I should like to say that, in the face of numerous difficulties, it has always acted in strict conformity with the spirit of the Covenant in the administration of the territories under its mandate. These territories consist entirely of numerous small islands, none of which is densely populated. In order to promote the welfare of these populations, scattered as they are over a vast ocean, the Japanese Government has been obliged to incur expenditure which is very heavy in proportion to the number of inhabitants.

I am very glad to be able to state that the administration of these islands has yielded excellent results as regards the development of the native population, thanks to the very extensive administrative reforms which have been carried out during the past year.

The provisional regime has been superseded by a Permanent South Seas Office. The naval detachments which had previously been temporarily responsible for the Government of the islands have been withdrawn. The administration of justice and the system of elementary school teaching have also been considerably improved. I would further point out that very considerable economic and financial reforms have been carried out.

All these reforms, which are in close accord with the lofty ideals of the Covenant, will enable us to continue to improve the lot of the natives, living as they do so far from the centres of civilisation.

I accordingly venture to call the attention of the Assembly to the reforms which have been successfully carried out. I will not go into details; you will find them in the documents submitted to the Assembly. The work which the Japanese Government has done up to the present is an earnest that it will continue to advance towards the lofty ideals of justice and humanity which the League of Nations has set before it. (Applause.)

The President:

Translation: M. Bonamy, delegate of Haiti, will address the Assembly.

M. Bonamy (Haiti):

Translation: Mr. President, ladies and gentlemen—I should like to say a few words by way of supplementing Dr. Nansen's arguments in support of the Sixth Committee's report on the question of mandates.

I should like to join him in congratulating the members of the Permanent Mandates Commission. Their numerous reports to the Assembly, together with the annexes to those reports, afford ample proof that their work has been extremely conscientiously carried out and that they have preserved remarkably open minds.

Unfortunately my time is limited, and I cannot enter upon a lengthy consideration of the entire contents of the reports of the Commission. Generally speaking, we must admit that the Mandatory Powers have consistently shown goodwill, and that, thanks

more especially to the vigilant control of the Permanent Mandates Commission, the situation of the native inhabitants of mandated territories has been considerably improved.

For instance, education is being organised in many of these territories. The only matter for regret is that the organisation is still at an elementary stage, owing to the clearly inadequate credits appropriated for this purpose. Further, a start has been made with the introduction of the rules of social and domestic hygiene in these territories.

As regards the organisation of labour (I refer to free labour), the information furnished by the Mandatory Powers is insufficient to enable us to form a judgment, but it seems that the situation of the natives leaves a good deal to be desired.

It is proved by the reports of the Commission and the published Minutes that slavery still exists in most mandated territories, and the attention of the Assembly should be called to this fact. I am aware that the organisation of free labour is not immediately practicable everywhere, and that institutions which were in existence when the Mandatory Powers entered upon the scene cannot be abolished in a day; time is necessary, but what we ask, what I ask, is that the Mandatory Powers and the Permanent Mandates Commission should continue their efforts with a view to the speedy and final abolition of the inhuman institution of slavery.

I will not dwell further, as I might have done, on the subject of slavery, either in mandated territories or elsewhere, since the question will come before the Assembly in another connection, when I shall perhaps have the opportunity of speaking again.

There is, however, another point in the reports of the Mandates Commission on which I should like to say a few words, namely, the treatment of the natives of South-West Africa who are placed under the mandate of South Africa.

Those delegates who were present at the last Assembly will no doubt recollect the eloquent speech made by my distinguished predecessor, M. Dantes Bellegarde. You will remember that it was at his request, and as a result of his vivid description of the situation in the Bondelzwarts district and the suppression of the rising there, that the Assembly, after hearing the observations made by the representatives of South Africa and by Sir Edgar Walton in particular, ordered an enquiry into the Bondelzwarts insurrection.

The enquiry has been held. The Government of South Africa, under the leadership of General Smuts, whose great moral authority is universally acknowledged, appointed a Commission of Enquiry composed of Government officials. The report of the Commission of Enquiry enabled the Mandates Commission to arrive at the conclusion that all the facts disclosed here were absolutely correct.

The causes of the Bondelzwarts insurrection were, in actual fact, those indicated here, and have been summed up by the Mandates Commission in the following words:—

“The causes which led to the rising appear to the majority of the Commission to be due primarily to the unfortunate feelings of distrust which, it had been informed, characterised the attitude towards each other of the white and black races. In South-West Africa even the educated classes, the Commission was told, regarded the natives as existing chiefly for the purpose of labour for whites.”

The second cause of the revolt was the dog tax, a tax amounting to £2, which was absolutely prohibitive to the natives, a race of shepherds, whose dogs contribute to their livelihood. Being unable to meet these taxes, the people were condemned to pay heavy fines, and in this way the spirit of revolt was engendered in them,

resulting in the insurrection. The rebellion was drastically suppressed; among other means bombing from aeroplanes was resorted to in order to quell the natives.

Assuredly, order must be maintained. It is an essential condition for the progress of all nations. The insurrection having broken out, it became necessary to suppress it. So much I do not deny. But the methods used were indisputably too drastic, as the Mandates Commission has rightly pointed out. All this, however, belongs to the past, and there is no necessity for recriminations.

The Government of South Africa is mindful of the obligations imposed upon it by Article 22 of the Covenant. I have no doubt that the lot of the natives will be improved; there has already been a certain improvement, and this will increase from day to day.

Though progress is slow, it is nevertheless continuous. We must admit that this satisfactory state of affairs in mandated territories regarded as a whole is due to the goodwill of the Mandatory Powers and their solicitude to fulfil their engagements. Although in certain territories, such as South Africa, the situation is still unsettled, we have no doubt that it will in the end be satisfactorily cleared up, thanks to the great moral authority of General Smuts.

The mistakes made by subordinates have been brought to light and will not be repeated. The settlers, though rarely drawn from the flower of the human race, will no doubt eventually be less contemptuous of the natives, and will learn that a little kindness, a little justice, achieve more than ruthless severity in gaining the confidence of peoples who are admittedly still backward, but are nevertheless capable of progress, and will make the same progress as their other African brothers if given the opportunity.

Civilisation should make itself felt in the form not of powerful engines of destruction but of constructive work; work which is a credit to the human race—education, religion, hygiene, organised and fairly rewarded labour, and the administration of justice. (*Applause.*)

The President :

Translation : Jonkheer Loudon, delegate of the Netherlands, will address the Assembly.

Jonkheer Loudon (Netherlands) :

Translation : Mr. President, ladies and gentlemen— I know that the time of the Assembly is very precious, and I will not keep you for more than a few moments.

I only wish to express my entire concurrence in all that has been said in praise of the Permanent Mandates Commission. As is shown by its report, the Commission has accomplished admirable work of the very highest standard. It has at all times given proof of its indefatigable zeal and its desire to promote, by every means in its power, the completion of the great task entrusted to the mandatory Powers.

It is perhaps not entirely unfitting that I should venture to address a few words to the Assembly, as the representative of an ancient colonial Power with century-long experience—a Power which, especially during the last half-century, has itself put into practice liberal principles with a view to improving the position of the natives and assisting them gradually to rise to a higher level of civilisation.

I therefore venture to join in the meed of praise bestowed on the Commission. I think I may say that, thanks to its influence, the mandatory Powers are taking due account of the necessity of applying to the native populations under their care the great principles which we have always championed. (*Applause.*)

The President :

Translation : M. Freire d'Andrade, delegate of Portugal, will address the Assembly.

M. Freire d'Andrade (Portugal) :

Translation: Mr. President, ladies and gentlemen—Mme. Bugge-Wicksell, delegate of Sweden, and myself, delegate of Portugal, one of the most ancient colonial Powers in the world, are the only members of the Permanent Mandates Commission who have the honour to sit in this Assembly. Mme. Bugge-Wicksell has authorised me to speak on her behalf as well as on my own, and, in the absence of our Chairman the eminent statesman, Marquis Theodoli, and of our distinguished Vice-Chairman, M. van Rees, former Vice-President of the Council of the Indies, I believe that the duty devolves upon me of thanking all the speakers who, in the course of this discussion, have congratulated the Permanent Mandates Commission on its work and paid a tribute to the efforts it has made.

I can assure the Assembly that, difficult as our task is, it is nevertheless a deeply interesting one. In devoting all our efforts to our work, in bringing to bear upon it the fruits of our experience, in accomplishing it in a spirit of impartiality, we have been sustained by the thought that we are of some service, not only to the native populations and to the administrative authorities of the Mandatory Powers, with which we endeavour to maintain close relations and to co-operate in a spirit of cordiality, but also to the whole League of Nations.

The confidence which you have been kind enough to express, and your appreciative words regarding the work accomplished—words which I shall hasten to communicate to all my colleagues on the Permanent Mandates Commission—will be an active encouragement to us to persevere in the path upon which we have entered.

I venture, on behalf of Mme. Bugge-Wicksell and all my colleagues on the Permanent Mandates Commission, as well as on my own behalf, to convey to you the expression of our most sincere gratitude. (*Applause.*)

The President :

Translation: Sir Edgar Walton, delegate of South Africa, will address the Assembly.

Sir Edgar Walton (South Africa):—Mr. President, ladies and gentlemen—In connection with this subject you will remember that last year, when the delegate of Haiti brought up the case of the Bondelzwarts Rebellion, I gave an undertaking to the Assembly that my Government would carry out a thorough investigation of the matter. That investigation has been carried out, not by officials, as the delegate of Haiti has just stated, but by members of the Native Affairs Commission; two of the members of that Commission were thoroughly acquainted with native affairs and native conditions.

I do not want to discuss the contents of the report of the Commission of Enquiry. My own opinion is that the Administrator was compelled to take the action he did, and we all know how easy it is to judge a man who has had to take decisive action during a great crisis. The Administrator was faced with a crisis and he took a certain action. He may be condemned by some, but I do not think he will be condemned by those who know the history of Africa and the conditions of life there.

The reasons for that outbreak were also mentioned. It was said that it was partly due to mistrust and partly to the tax on dogs. The question of the dog tax was settled some months before the outbreak occurred. I should like to add with regard to these dogs that if my friend, the delegate of Haiti, had ever tried to carry on farming within 20 miles of a native location where there was a large number of dogs he would find that he would be obliged to give up his farming! The dogs are not required to look after the native stock so much as to look after the stock of the farmers. If they cannot get

game, they are very apt to take the farmers' sheep and the farmers' goats and even the farmers' oxen. It is necessary, therefore, to limit the number of dogs that a native location is allowed to keep. The natives kept their dogs because they had been in the habit for many years of living on game that existed in the prairie there, the springbok and so on. When they had killed off the game in their immediate neighbourhood, they naturally looked for something outside, and that gave rise to the trouble.

I wish to acknowledge the appreciative remarks which have been made by previous speakers as to the work done by the Mandatory Powers, and I hope the Assembly will appreciate that work and will encourage the Mandatory Powers to continue it. We in South Africa have taken over new territory, territory which was held by the Germans for forty or fifty years, and in taking over that territory we have had to take over a large number of natives who were very much sunk in barbarism, and who had not been lifted from that state to the same extent as our own natives in South Africa had been.

If my friend would go with me to South Africa and go through our native territory, he would see, instead of a barbarian population, native schools, native churches, native farms, and he would see natives running their own government in their own council, levying their own taxes, making their own roads and looking after themselves. This is the work of the South African people, but it has taken 100 years, and you are not going to lift people from barbarism to civilisation within a period of a generation.

It cannot be done and it will not be done; it is no use for people in Europe to judge the conditions in that country by conditions in Europe, applying the same ideas, regulations and principles, because they do not apply. These natives have been sunk in barbarism for untold centuries, and the work of civilisation must take time; it is a work requiring untiring patience and endeavour and a belief in humanity, and these qualities the people of South Africa have. I am proud as a South African of the work they have accomplished, and I am sure that we shall in future bring those people up to a level of humanity which I believe God Himself intended them to occupy. (*Applause.*)

The President :

Translation: Does anyone wish to speak?

The discussion is closed.

I put to the vote the resolution submitted by the Sixth Committee.

The resolution is as follows :

The Assembly,

Having taken cognisance of the reports of the Permanent Mandates Commission and of the observations of the accredited representatives of Australia, Great Britain, Japan, New Zealand and the Union of South Africa :

(a) Expresses its satisfaction with the extensive work which this Commission has so conscientiously accomplished and with the notable progress made in the mandated territories since the last Assembly ;

(b) Requests the Commission to pursue its task with the same zeal and the same impartiality ;

(c) Expresses the confident hope that the Commission will continue to enjoy the co-operation of the Mandatory Powers in the work of effecting a continuous improvement in the moral and material condition of the natives, and, in particular, of the women and children, by means of the organisation of general and professional education, the improvement of public health, the equitable remuneration of native labour, and the final abolition, within as short a time as possible, of slavery in all its forms, including its domestic forms ;

(d) Expresses its regret that the Permanent Mandates Commission has not been able to report that satisfactory conditions have as yet been re-established in the Bondelzwarts district and the hope that the future reports of the Union of South Africa will contain such information as may allay all misgivings in this connection.

(The resolution was unanimously adopted.)

59.—PROTECTION OF MINORITIES: REPORT OF SIXTH COMMITTEE: RESOLUTION.

The President :

Translation : The next item on the Agenda is the examination of the conclusions of the report on the procedure to be followed in dealing with the protection of minorities (Annex 14; A. 98, 1923).

I call upon Professor Gilbert Murray, Rapporteur, to take his place on the platform.

(Professor Gilbert Murray mounted the platform amidst the applause of the Assembly.)

The President :

Translation : The Rapporteur will address the Assembly.

Prof. Gilbert Murray (South Africa), Rapporteur :— Mr. President, ladies and gentlemen—I need only detain the Assembly for a very few moments over this report which has been distributed, and therefore need not be read now.

The discussion in the Sixth Committee revealed, I think, no difference of opinion among the delegates, and gave rise to only one question.

Until lately it was the practice, not based on any particular rule, for petitions from minorities or dealing with the grievances of minorities, to be distributed automatically to all Members of the League. The Council at its meeting at the beginning of September of this year, decided that that distribution should be restricted to Members of the Council unless the Council particularly decided otherwise.

The question raised in the Sixth Committee was this : Did that decision of the Council interfere with a right which had been conferred last year by a resolution of the Assembly that every Government Member of the League could apply for information concerning any petition regarding minorities that might be received? Did the Council mean definitely to restrict the distribution under all circumstances, or merely to restrict the automatic distribution?

I am happy to say that there was no difference of opinion in the Committee, and we were confirmed in our opinion by M. Hymans, who explained to us the view taken by the Council regarding its decision. The Council considered that its decision only affected the automatic distribution of the petitions, and that every Government Member of the League had still the right to ask the Council for information about any of these petitions if it so wished. That unanimous decision, confirmed by M. Hymans, a member of the Council, is embodied in the resolution which you have before you. (Applause.)

The President :

Translation : Does anyone wish to speak?

The discussion is closed.

The resolution is as follows :—

In accordance with the resolution of the Council dated September 5th, 1923, the communication of minorities petitions shall be restricted to the Members of the Council. By virtue, however, of paragraph V of the Assembly resolution dated September 21st, 1922, the Government of any Member of the League can request the Secretariat to communicate to it any petition (together with the observations of the Government concerned) which have been communicated to the Council.

(The resolution was unanimously adopted.)

60.—UNPAID CONTRIBUTIONS: REPORT OF FOURTH COMMITTEE: RESOLUTION.

The President :

Translation : If the Assembly agrees, I propose to place on the Agenda for to-day the report of the Fourth Committee on the question of unpaid contributions (Annex 15; A. 90, 1923). (Assent.)

I call upon M. Zahle, Rapporteur of the Fourth Committee, to take his place on the platform.

(M. Zahle took his place on the platform.)

The President :

Translation : M. Zahle will address the Assembly.

M. Zahle (Denmark), Rapporteur :—You all know that the Fourth Committee instructed its Sub-Committee to consider the question of unpaid contributions for all financial periods of the League previous to December 31st, 1922, and the contributions still unpaid for the current year.

The Sub-Committee submitted a report to the Committee, which was discussed at a private meeting, and accepted; and the Committee suggests that the report should now be accepted by the Assembly. The contents of this report are printed in a document which you have before you. It is a short summary of the longer report of the Sub-Committee.

There are two small errors to which I would draw attention. As printed in the English text, the sentence in the fifth paragraph reads : "As regards countries in the second group, the third Assembly requested the Secretary-General to propose that the Supervisory Commission should put forward the solution which appeared best suited to the exceptional position of such countries." That should read : "As regards countries in the second group, the third Assembly requested the Secretary-General to propose to the Supervisory Commission the solution which appeared best suited to the exceptional position of such countries."

Then the total of the third column of figures in both languages should read 3,009,288.13.

The President :

Translation : Does anyone wish to speak?

The discussion is closed.

The resolution is as follows :—

The Assembly approves the recommendations of the Fourth Committee (A. 90, 1923. X.) on the question of unpaid contributions in respect of the periods ending December 31st, 1922, and directs that the accounts of the League shall be modified accordingly.

(The resolution was unanimously adopted.)

**61.—CONSTRUCTION OF A CONFERENCE HALL:
REPORT OF FOURTH COMMITTEE: RESOLUTION.**

The President :

Translation: I would also suggest that the Assembly should place on its Agenda for to-day the report of the Fourth Committee on the question of the construction of a Conference Hall on the property given to the League of Nations by the Republic and Canton of Geneva and by the City of Geneva (Annex 16; A. 89, 1923). (*Assent.*)

Jonkheer Van Eysinga, the Rapporteur, is detained at present at another Committee. If nobody wishes to speak on this question, I will read the proposed resolution:

The Assembly,

Considering that the land so generously presented to the League of Nations by the Republic and Canton of Geneva and by the City of Geneva ought to be prepared as soon as possible for the purpose for which it was given, that is, the erection of a Conference Hall;

Recognising further, that the use of the Salle de la Réformation and the Kursaal is attended with very serious inconveniences;

Is of the opinion that the financial position of the League of Nations does not at present permit it to incur new expenditure on a large scale and necessitates the postponement of the question of the erection of a Conference Hall until the Assembly of 1924.

The Assembly requests the Council to continue the work of preparation in the manner indicated in the report of the Fourth Committee (A. 89, 1923, X.).

(The resolution was unanimously adopted.)

**62.—TRAFFIC IN WOMEN AND CHILDREN:
REPORT OF AGENDA COMMITTEE ON
PROPOSAL OF M. DE ARMENTEROS
(CUBA) CONCERNING YOUNG WOMEN
TRAVELLING ALONE: RESOLUTION.**

The President :

Translation: The Agenda Committee suggests to the Assembly that the proposal made by the delegate of Cuba regarding this question should be placed on the Agenda and referred to the next Assembly.

The resolution is as follows:

The Assembly decides to place on its agenda and to refer to the fifth Assembly of the League the following proposal submitted by the Cuban delegation.

" Young women not having reached their majority and travelling alone shall be required to provide themselves with a certificate from the authorities of the port of embarkation, containing assurances as to their previous conduct."

If there is no opposition, the resolution is adopted.

(The resolution was adopted unanimously.)

**63.—INTERNATIONAL ARRANGEMENTS FOR
LEGAL ASSISTANCE FOR THE POOR:
PROPOSAL OF NORWEGIAN DELEGATION:
REFERENCE TO AGENDA COMMITTEE.**

The President :

Translation: I have received the following communication from the Norwegian delegation:

" The Norwegian delegation desires to bring to the knowledge of the Assembly the attached memorandum (Annex 17; A. 119, 1923) from the National Association of Legal Aid Societies, of the United States of America, with regard to international arrangements for legal assistance for the poor, and to present the following motions:

" (1) That the Assembly resolve that the subject of this memorandum be placed on the Agenda of the fifth Assembly;

" (2) That the Secretary-General be invited in the meantime to prepare a report, and to take such measures of investigation under the authority of the Council as may be found desirable without expenditure of League funds."

This question should be referred to the Agenda Committee. (*Assent.*)

**64.—INTER-MUNICIPAL RELATIONS: PROPOSAL
OF CUBAN DELEGATION: REFERENCE
TO AGENDA COMMITTEE.**

The President :

Translation: I have also received the following proposal from the Cuban delegation:—

" In order to give a more general character to the recommendations of the Pan-American Conference, the Cuban delegation begs to submit to the Assembly of the League of Nations the following proposition:

" The Assembly decides to accept with the greatest sympathy the principle of closer municipal relations which the Santiago Conference recommended to the members of the Pan-American Union for adoption, in view of the fact that the maintenance of direct relations between the important municipalities of the various countries is a new form of co-operation between peoples which will contribute largely to diffusing the ideals which led to the creation of the League of Nations and which guide its work."

This proposal should be referred to the Agenda Committee. (*Assent.*)

(The Assembly rose at 5.40 p.m.)

FIFTEENTH PLENARY MEETING
Thursday, September 27th, 1923, at 10 a.m.

President: M. DE LA TORRIENTE Y PERAZA.

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65.—TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS: REPORT OF FIFTH COMMITTEE. RESOLUTIONS.

The President :

Translation: The first item on the agenda is the discussion of the report of the Fifth Committee on the Traffic in Opium. (Annex 18 ; A. 101, 1923.)

I call upon the Chairman and Rapporteur of the Fifth Committee to take their places on the platform.

(Professor Gilbert Murray, Vice-Chairman of the Fifth Committee and Mlle. Bonnevie, Rapporteur, took their places on the platform.)

The President :

Translation: Mlle. Bonnevie, delegate of Norway, will address the Assembly.

Mlle. Bonnevie (Norway), Rapporteur:—The report of the Fifth Committee on opium and other dangerous drugs has been printed and distributed, and in recommending it to the Assembly for adoption, I shall only say a few words with regard to its contents.

Until some ten years ago the question of opium and other narcotic drugs was, practically speaking, of interest principally to the Far East. To-day it is a question of the utmost interest to the whole civilised world, the abuse of narcotic drugs having spread since the war like an infectious disease in the various countries of Western Europe as well as in those of the American continent.

If we are ever to succeed in checking this poisoning of the human race, which is spreading so rapidly, it is clearly evident, on the one hand, that the work needs the full and interested co-operation of all nations, and, on the other, that no time should be lost, as the campaign against the abuse of narcotic drugs becomes more difficult as every month passes in which no active steps have been taken. The abuse of the drugs is extending steadily to new sections of the population, and the commercial interests connected with this question are rapidly growing.

The Advisory Committee on the Traffic in Opium and other Dangerous Drugs in its report refers to the gravity of the present situation and says that, without full co-operation between producing and manufacturing countries, the results of its work "must be nullified and the Convention must break down". Of great importance therefore is the fact that during the last year the Advisory Committee, and now also the Fifth Committee, have enjoyed the co-operation of the United States of America, the Government of this country having, upon the invitation of the Council, sent a delegation to sit in a consultative capacity on the committees mentioned.

Another point of importance is the fact that Turkey, in the Treaty of Lausanne, has undertaken to ratify the Opium Convention. In view of the importance of Turkey as an opium-producing country, the Fifth Committee recommends that as soon as she has actually ratified the Convention and brought it into force, the Turkish Government should be invited to send a representative to sit on the Advisory Committee.

Estonia and Latvia have both informed the Fifth Committee of their recent ratification of the Opium Convention. There still remain, however, among the Members of the League of Nations, a number of countries which have not yet ratified. The adherence of each one of these countries is of importance to the work, but of quite special importance are the ratifications of Persia, as an opium-producing and of Switzerland as a drug-manufacturing country. The delegates of both countries have explained to the Fifth Committee the reasons which, in spite of hopes given last year, have until now made it difficult for their Governments to ratify the Convention of 1912.

In Switzerland the question of ratification has raised problems which are partly juridical and partly economic in character. The juridical problem, concerning the power of the Federal Government in relation to the sovereignty of the cantons has, however, already been solved, while the economic side of the question is still under discussion.

The delegations of Persia and Switzerland have again confirmed the interest of their Governments in the question and their intention to endeavour to overcome the difficulties. The declaration made by M. Ador closes with an assurance that the Federal Council is still faithful to the principle expressed in the declaration of last year and that its active co-operation in the great task undertaken by the League of Nations in the field of dangerous drugs will, it is hoped, soon be established.

The Fifth Committee proposes that the Council should once more make an urgent appeal to the Governments concerned for ratification of the Convention without delay.

It would be impossible here to mention all the valuable facts contained in the reports of the Advisory Committee and all the interesting resolutions passed by it, which together form a programme for further action. The Fifth Committee recommends the Assembly to adopt as a whole these reports and the resolutions contained therein. Our Committee has, however, found it necessary to emphasise by special resolutions a few points in the above programme.

First of all a resolution is proposed to the effect that the Advisory Committee should be instructed to continue the investigation already begun with regard to the system of import certificates and to report specially to the next Assembly on this question.

The most important results of the work of the Advisory Committee are seen in the fact that it has now found the time ripe for taking measures towards a more effective application of Chapter II of the Opium Convention concerning the "gradual suppression" of the use of prepared opium in territories where such use has not yet been prohibited as well as towards a reduction of the quantity of raw opium imported into these territories for the purpose of smoking.

Basing itself on a resolution passed by the Advisory Committee, the Fifth Committee proposes that a Conference should be called for this purpose.

With great satisfaction we read also in the report that the Advisory Committee, in reviewing the work carried out during the past two years, has found that the information now available makes it possible to take steps towards a limitation of the production of the drugs. It has proposed that the Governments concerned in such production should enter into immediate negotiations to consider whether an agreement could be reached on this point.

The Fifth Committee recommends a resolution to be passed to the effect that a conference should be called also for this purpose, suggesting at the same time for the consideration of the Council, the advisability of enlarging this Conference so as to include all countries which are Members of the League or Parties to the Convention of 1912, with a view to securing their adhesion to the principles that may be embodied in any agreement reached.

The Fifth Committee considers it important that both Conferences should be held as soon as possible, the more limited Conference concerning the Far East to be held first, and the other, if possible, immediately after.

With these short remarks I have the honour of recommending to the Assembly the resolutions passed by the Fifth Committee. (*Applause.*)

The President :

Translation : M. Chao-Hsin Chu, delegate of China, will address the Assembly.

M. Chao-Hsin Chu (China) :—I wish to make a few observations on the report on the traffic in opium and other dangerous drugs submitted by the Fifth Committee, of which I am a member.

First, let me deal with the question of the production of opium. The most important step to be taken in order to obtain international control over production is to secure the general adherence of all countries to the Hague Opium Convention.

Among the large producing countries, India is the only country up to the present which has ratified the Convention. According to a statement made by Lord Hardinge in the Fifth Committee, India has reduced the poppy cultivation to a certain extent, thereby losing about one-fifteenth of her revenue. Lord Hardinge, when he was Viceroy of India, was responsible

for the cessation of the export to China of Indian opium in accordance with the Anglo-Chinese Treaty which was concluded through the good services of Sir John Jordan, who witnessed China's total suppression of the opium traffic in 1917.

I hope that all the other large producing countries will follow the example of China by ratifying the 1912 Convention and reducing their production of opium. In the meantime it is very necessary for the League to summon a general conference as proposed by the Advisory Committee and approved by the Fifth Committee. China as a signatory of the Hague Convention is always ready and willing to participate in such a Conference.

In the second place, let us consider the question of the manufacture of dangerous drugs of which morphine is the most dangerous. According to Article 9 of the Hague Convention the manufacture of morphine, heroin and other dangerous drugs should be limited to the amount required for legitimate use. "Legitimate" means medicinal and scientific, this interpretation being originally introduced by Dr. Wellington Koo and recently insisted upon by Mr. Porter.

On examining the statistics of the manufacture of morphine, heroin, cocaine and other dangerous drugs, we find that, although ten years have elapsed since the Convention was signed, the manufacture of these dangerous drugs, instead of having decreased, has, on the contrary, increased. This manufacturing industry is an extraordinarily profitable one and would naturally tempt speculative profiteers in every country to put up new factories.

From the humanitarian standpoint, the manufacture of dangerous drugs should be strictly limited. It is not advisable for any Government to permit such manufacture to continue. It is not only a danger to the people of other countries in view of the surplus produced; it is a direct danger to the country in which manufacture is carried on, since the abusive use of domestic products on the spot is almost unavoidable, no matter how strict the law may be. It is therefore very vital and proper for all the countries to meet and discuss this serious problem. The summoning of a general Conference as proposed in the report will answer this purpose.

In the third place, the consumption of morphine, heroin, cocaine, etc., should be limited to medicinal and scientific requirements. Although we have not yet been able to estimate the exact amount of the drugs required to meet the legitimate needs of the whole world, we can make a common-sense presumption that the supply to-day is far in excess of the legitimate demand.

These drugs are being turned out by the ton. I understand that one-quarter of a grain of morphine is used for an injection or for a dose as prescribed by a doctor. Thus one ton of morphine would be sufficient for 62,000,000 injections. You can imagine how dangerous the abusive use of the surplus is as a poison to human beings.

China herself does not manufacture morphine at all but many tons of that dangerous drug are smuggled in every year. The suffering of the Chinese people through taking morphine is far greater than that which they underwent through smoking opium under the old regime. I hope that some satisfactory arrangements can be made for international control over supply and demand, and that such arrangements will be brought about through the forthcoming general conference to be summoned by the League.

Opium smoking is still allowed legally in most of the Far Eastern colonies. Each colony has a government monopoly for the sale of opium. According to the Hague Convention, such a monopoly should only exist temporarily, but 10 years have elapsed since the Convention was signed, and yet the consumption of prepared opium in those territories, far from diminishing, has increased or has remained at the same level.

Some people contend that the scheme for the reduction of opium smoking was interfered with by the recent world war. The war is over now, and there is no longer any excuse for a continued increase in the opium trade.

This problem should never be regarded by any government as a financial one. An honest government should not live upon such a scandalous source of revenue, which is harmful to its people and which lowers its prestige. A government should resort to any kind of taxation rather than have recourse to an opium monopoly. If the people do not smoke opium, their earnings will be better spent, their standard of living raised, and the governments can benefit thereby by means of indirect taxation.

It is very vital and necessary, therefore, to summon a special conference—the so-called Far Eastern Conference—in order that the governments of all the Far Eastern colonies may arrive at a common understanding and formulate a practical plan for effecting the gradual but total suppression of opium smoking.

There have been rumours in the Press that China was going to establish an opium monopoly. I am very glad to be able to tell you that such statements are nothing more than rumours, and I have made official statements to contradict them. The Chinese Government has never considered the possibility of legalising the traffic in opium. China has, at the present time, a law prohibiting such traffic. I can assure you that China will do her best to fulfil her obligations in accordance with the Hague Convention.

The resolutions set forth in the report tend towards the solution of the whole opium problem, and I therefore propose that the report as a whole be adopted by the Assembly. (*Applause.*)

The President :

Translation : Dame Edith Lyttelton will address the Assembly.

(Dame Edith Lyttelton mounted the platform amidst the applause of the Assembly.)

Dame Edith Lyttelton (British Empire) :—Mr. President, ladies and gentlemen, I only wish to speak for one moment, just to express my great admiration for the work of the Advisory Committee. I do not think that anyone who has studied its report carefully can fail to realise what an immense amount of work was involved in the formulation of the report. The Committee, no doubt, was immensely assisted by experts and also by the American delegation.

I have been instructed to say that the British Government strongly approves of the two Conferences which have been arranged. The first is a Conference of Governments, including China, having territories where the use of prepared opium is still continued, under the provisions of Chapter II of the Convention, and the second is the Conference of all Governments States Members of the League. Our great hope is that these Conferences will take place as soon as possible, and that one will immediately follow upon the other.

It is perfectly certain that all countries in the world desire to suppress the trade in noxious drugs as well as to suppress opium smoking. There is only one means by which this can be brought about, that is, complete co-operation between all the countries in the world.

As regards the question of the illicit trade in manufactured drugs, even more concerted action is necessary. In my own country we have tried to do something in the matter. Between the years 1920 and 1922 the quantity of drugs manufactured was reduced by half. One large manufacturing firm had its licence for the manufacture of morphine removed.

I am not for one moment saying that we have done enough ; a great deal more remains to be done. Unless

we all combine and all take action at the same time, there is no chance of stamping out this terrible plague which is a blot upon our civilisation. It can be done if all countries ratify the Convention and if all countries combine in insisting upon import and export certificates, which so far as can be seen, are the best means of controlling this traffic.

I do therefore beg all the delegates here, when they return, to urge their Governments to ratify the Convention if they have not already done so, and if they have ratified, to put the arrangements into force as soon as possible ; for, unless we treat this question as a world question and not as a local one, we shall never settle it. There is no doubt that the noxious habit of drug-taking is spreading ; it is like a disease which is going to attack all peoples unless we band together to prevent it. (*Applause.*)

The President :

Translation : M. François, delegate of the Netherlands, will address the Assembly.

M. François (Netherlands) :

Translation : Mr. President, ladies and gentlemen—The Netherlands delegation wishes to congratulate Mlle. Bonnevie on her admirable report. The campaign against opium is a branch of its work in which the League has shown the greatest activity. The reasons for this are self-evident. The abuse of opium, morphine and cocaine has become increasingly common in countries where, a short while ago, it was unknown, and these pernicious drugs are already being abused even by the youth of certain countries.

The Opium Convention has in several quarters been criticised as constituting an insufficient safeguard. Critics too often lose sight of the fact that the Opium Convention was only concluded two years before the outbreak of the war, and that during the war the international campaign against opium was necessarily suspended ; while in the first years following the war neither the economic situation nor international co-operation were sufficiently re-established to obtain satisfactory results in this matter.

I should perhaps be going too far if I said that the general application of the provisions of the Opium Convention would suffice to combat successfully the abuse of harmful drugs. However, the Netherlands delegation is convinced that the Convention is based upon sound principles, and that for the present, it would be wise not to depart from these principles, but to expand and develop them.

One of these principles is that a fundamental distinction must be drawn between the campaign against opium to be undertaken in countries where its abuse is of recent, or relatively recent date, and that to be waged in countries where its use has long been established amongst a native or semi-civilised population.

The Opium Convention recognises that complete and immediate prohibition in the latter case would be impracticable for several reasons, and that, in view of the different conditions prevailing in each country, the Governments alone would be competent to decide on the proper method of securing the gradual and effective suppression of the manufacture and use of prepared opium.

Although the use of opium for smoking is perfectly legitimate in countries where this practice is still allowed under the provisions of the Opium Convention, it is obvious that this in no way lessens the duty of Governments to continue to examine the possibilities of obtaining its eventual suppression.

Discussions on this subject with other Governments in similar circumstances would be of great value in making it possible more rigorously to apply the provisions of the Opium Convention, in securing the

reduction of the quantity of opium used, and in establishing a uniform policy. For this reason the Netherlands delegation warmly supports the Advisory Committee's proposal.

It also supports the Committee's second resolution which is based on the suggestions of the American delegation, whose co-operation in the work of the League is very greatly appreciated by the Netherlands Government.

The Advisory Committee suggests in this resolution that a second conference, larger than the first, should be held, to include, in addition to the States represented at the first conference, the Governments of all States in which narcotics are manufactured or produced. The object of this conference would be to limit the manufacture of dangerous drugs, and the importation of raw opium and of coca leaves, to the quantities necessary for legitimate purposes, that is to say, for medicinal and scientific purposes, or, in the case of countries where opium smoking is still permitted, to the quantity necessary for that purpose.

The delegation of the Netherlands regrets that there is a certain divergence between the resolutions submitted to the Assembly by the Fifth Committee and those put forward by the Advisory Committee. In our opinion the present resolutions are a perversion of the system adopted by the Advisory Committee.

In the first place, the invitations to the first conference are not restricted to the Governments concerned, that is to say, to the Powers having territories in the Far East, where the consumption of prepared opium is still authorised. Secondly, the resolution even goes so far as to request the Council to consider the advisability of sending invitations to the second conference to almost all the countries in the world, without, however, any reference to the question whether dangerous drugs are or are not manufactured in their territories, or whether opium and coca are cultivated there.

The Netherlands delegation has no hesitation in stating that it hopes that the Council will not adopt this suggestion. It fears that the fact that a large number of States not directly interested in the solution of the questions under discussion are represented at the conference might have the effect of impeding the progress or the work and of increasing the cost, whilst failing to give the practical results expected.

The Netherlands delegation, being anxious not to mar the success of the proposed conferences, is also opposed to a suggestion which would, when the conferences are summoned, have the effect of raising the question of the consumption of opium for eating, as is met with in India. It would, we think, be better to leave this question in abeyance, in order to avoid prejudicing the result of the conferences, especially as the consumption of opium in India is not likely to hamper the efforts of other States to prevent the importation of dangerous drugs into their own countries.

The resolutions contain a recommendation that the conferences in question should be held at an early date. Though in favour of this recommendation, the Netherlands delegation asks that, when fixing the dates of the conferences, the Council should take into consideration the fact that many States invited will first require to consult the authorities in their overseas territories, and this will necessarily take considerable time.

With regard to the meeting-place of the large conference, I should be very glad, as representative of the country in which the three previous opium conferences were held, if The Hague were again selected as the seat of the next conference. The Netherlands delegation, however, fully realises that, for financial reasons—to which unhappily a number of countries must at the present moment attach great weight—Geneva, might

be preferred, as that city has during the last few years become the headquarters of the opium campaign, thanks more especially to the remarkable activities of the Advisory Committee, and also because it possesses in the Secretariat of the League an extremely well-organised machine to assist the conference.

There is another question with which the Netherlands delegation would like to deal; I refer to statistics. We have already, at the meetings of the Fifth Committee, dwelt on the great difficulty experienced by our Government in supplying figures for the production of morphine and cocaine. My Government is also confronted with serious obstacles to the compilation of other statistics.

The number of statistical data on opium asked for by the League is continually increasing. The Netherlands Government in no way disputes the utility of the figures, and will do everything in its power to comply with these requests; but my country, like most countries in the world is suffering from an extremely serious economic crisis, which entails far-reaching economies in the administration of the State finances. Accordingly, there are great difficulties in the way of compiling statistics, as these can only be supplied by increasing the number of Government officials. The Netherlands delegation would venture to ask the League to make allowance for the abnormal and, it may be hoped, transitory conditions in many countries at the present moment.

In view of the part which my country has hitherto taken in the opium campaign, there is no need for me to dwell upon the great weight we attach to this branch of international co-operation. It is, too, because of our belief in international co-operation that we feel bound to emphasise the necessity of only asking for such reports, statistics, etc. as are absolutely essential and of avoiding excess in this field as in all others. (Applause)

The President :

Translation : The Maharajah of Nawanagar will address the Assembly.

The Maharajah of Nawanagar (India) :—Mr. President, ladies and gentlemen, on behalf of the Indian delegation, I desire to congratulate the League of Nations, its Fifth Committee and the Advisory Committee, on the excellent progress that has been made in the important international question regarding opium and dangerous drugs.

The Government of India has always given its most complete adherence to the Convention, and has made every effort to carry out its terms. The success achieved in this matter is recognised by all. India will continue its settled policy in this direction. The Government of India will co-operate fully with the League of Nations in its efforts to further this great cause internationally. As regards internal administration, the Indian Government has set its face against, and has done its best to eliminate in a common sense manner, all forms of deleterious addiction.

It requests all nations to give it their confidence in this matter, and particularly to recognise that India cannot regard as illegitimate the use of opium as a home-made medicine, which is general throughout the country. India will not allow the deleterious use of opium within its territory so far as stringent laws and efficient administration can prevent it. The internal administration of opium questions in India is in the hands of Indian ministers, and is controlled by elected assemblies. I may further add that opium is a Government monopoly, and, speaking on behalf of the Indian States, I may say that they, whether autonomous or otherwise (such, for instance, as my own) could not export it without the permission of the Government of India, and could only export it through their agents. Since the cessation of the

Chinese traffic in 1913 no opium produced in the States of the Indian princes has been exported from India.

My colleague, Mr. Hasan Imam, was to have spoken on this subject. Unfortunately he is indisposed, and I will ask your permission to read on his behalf a short statement which he has prepared :—

“Mr. President, ladies and gentlemen, if I were to commence what I have to say in the customary form of applauding the League of Nations for the work it has achieved in its existence of four years, I should merely be repeating what other speakers have already said in eloquent terms and inimitable language.

“The ideals of the League, high and noble as they are, do not in fact need words to express their grandeur. Born in a land hoary with ideals, brought up in reverence for those ideals, bred to believe in those ideals, the Indian bows his head in worship of the ideals of the League. The ideal fills the Oriental mind and is an abiding source of hope in Oriental life.

“The East gave her message of faith and hope to the West when the world was young and the East again sends her message of faith and hope to the West when the world is old. What has attracted the East to the League is not its functional capacity to execute the demands of materialism, but its ambition to set before itself an ideal ennobling, elevating, soul-fulfilling in order to redeem mankind—mankind without distinction of race or creed—from the many dangers that beset its path in the fulfilment of self-realisation.

“Shorn of that ideal, the League would be but a mere machine, spiritless, soulless. Born of the wail of the widow and the cry of the orphan the League in its ideals has much that thrills the mind and enthralls the soul. When mind and soul work in unison, the hand has to exercise its function, has to execute the mandate, has to obey the call of conscience.

“The lurid light of history on past events, however discouraging in its exposure of human nature, has yet to darken before the blaze kindled by the ideal. While events of history may discourage us and throw a shadow over our minds, the ideal supplies the necessary strength to battle against temptation; and hope, born of the truth of the ideal, assists us to achieve the common good of mankind.

“To the East with its meditative mind, with its absorption in the Eternal Truth, nothing could be more appealing than the beautiful ideal of goodwill to all and peace for mankind, the ideal that brought the League into being. It is true that from the spiritual plane of ideals, the League has had to descend to the actualities of life, and to deal with figures, statistics and problems that encompass, and necessarily encompass, the individual. But in descending from the ideal to the real, from ethics to actualities, from morals to practice, the League would be demonstrating the worth of its great mission in applying the ideal to the solution of international questions.

“The mission to establish peace in the midst of conflicting interests of nationalities is great, but its fulfilment is only possible by the achievement of a larger, a wider, a bigger mission—the mission of humanitarianism—for it is out of humanitarianism, the bedrock of individual life, that the hopes of humanity can be realised.

“Out of that mission of humanitarianism has arisen the question of the dispensation of drugs, in one aspect dangerous and in another aspect comforting, soothing, palliating to human suffering. The attention of the civilised world, in this connection, has been directed to the drug known as opium, and much has been said by humanitarian societies as to the evil effects of it. In this as in all matters, we have to audit the account and to see if the criticism is correct or if imagination has gone beyond the legitimate measure of judgment in making its pronouncement.

“No one can condemn a war more than the Indian does, and I venture to say that we are not behind those

who realise that the evil of war in the past arose out of the conflicting interests of nations who indeed would have averted it if they could. Without giving any encouragement to the incentives of war we have yet to take account of the eventualities of life, and it has to be said to the credit of certain drugs that they supplied some of the essential needs of life hospitals that sheltered the wounded and the suffering, to whom opium in its manufactured form came not merely as a relief to suffering but as an assurance of life.

“I do not propose to dwell here on the scientific and medical uses of opium, but to deal with the evil effects of opium—the effects on those addicted to it. Much interest has centred round India in this respect, and opinions, varied in character and estimate, have been formed concerning the production of opium in India. Much of the harshness of opinion entertained by enthusiasts concerning my country is due to what I may be allowed to call their ignorance of the people of India.

“There is an impression that because we are an opium-growing people we are therefore an opium-eating people. If the world had been content only with entertaining such an opinion we could have outlived it by our sober and sedate life which is characteristic of India, and time would have disproved the truth of such an opinion. In our self-reliance we could afford to wait till the world rectified its misconceptions. But outside India the cry has been raised—and I say, without justification—that in producing opium we are helping other countries to a race degeneracy which no moral dictates can sanction. Hence as an Indian I feel that I owe it to you and to the world to state in emphatic terms that we have done nothing of which we need be ashamed. We have more than fulfilled our international obligations. We have, at a cost to ourselves, diminished our revenue by millions—millions that would have gone to relieve our poverty, millions that we could ill afford to spare.

“But the high dictates of a principle, the commands of morality and above all our religious belief in doing good to all, prevailed with us against our own interests and, without any dictation from any one, we complied with the conventions, fulfilled our obligations in their entirety and with integrity carried out the promise that we had made to the world. Neither in the spirit nor in the letter of our obligations can we be accused of having departed even by a hair's-breadth from our international engagements.

“If you examine the statistics of our Government, if you will have patience to read our opium reports for the many years during which we have undertaken this international obligation you will acquit my country of the charge, should any one choose to lay it, of insincerity between profession and practice.

“We have not supplied even an ounce of opium without the restrictive condition of the system of certificates. We have a perfectly clean record as regards our international obligations and we invite the whole world to examine and scrutinise our dealings in opium in relation to the outside world.

“But I would not content myself with giving such a limited invitation. The League, I confess, from the point of view of my people, is not and should not be interested in the question of dangerous drugs, only to the extent of international obligations; we are prepared to accede to the view that no country is entitled to drug its own people, as this interests the whole world and consequently comes within the purview of the League.

“Some people are under the impression, and I make bold to say very wrongly under the impression, that the consumption of opium in India is beyond the legitimate requirements of the country. If that were so I would not hesitate to denounce the drugging of my countrymen. As one born in India and solicitous of Indian welfare I have no hesitation in claiming that my people are free from the vice of addiction to opium.

Neither opium nor alcoholic drink attracts the Indian and if some individuals have adopted either of these two vices they do not by any means establish ground for a generalisation of such a sweeping character as seems to have found favour with well-meaning enthusiasts.

"At the 1922 session of this Assembly my distinguished friend the Maharajah Jam Saheb of Nawanagar explained to the Assembly the extent of the need of opium in India. That speech of His Highness I regret to say has often been misunderstood, misread and misquoted. In view of the size and extent of my country, the nature of its requirements and the difficulty of getting modern medical aid in parts remote from towns, opium contributes largely towards the alleviation of suffering whether of human beings or of animals; to exercise an unduly restrictive vigilance over the consumption of this medical commodity is to refuse assistance to the deserving in order to save a very few undeserving from addiction.

"This brings me to the present Constitution of India whereby the revenue derivable from the internal consumption of opium has been made over to the provincial Governments wherein the Excise revenue is a part of the portfolio of ministers who in the administration of their respective departments are dependent on the approval of the Legislative Councils. "If in any province the evil of addiction were unhappily to exist, the Legislative Council of the province would be powerful enough to regulate the consumption of opium according to the actual need of the province. No one need apprehend that the people of India are not alive to their moral and material interests and I may claim with assurance that the moment opium becomes an evil the Legislative Councils will see to the eradication of that evil."

The President :

Translation : Prince Arfaed-Dovleh, delegate of Persia, will address the Assembly.

Prince Arfaed-Dovleh (Persia) :

Translation : Mr. President, ladies and gentlemen—Persia is happy to note that, thanks to the presence of American representatives, the development of the opium question has reached a practical stage.

For the last three years we have been stating constantly that, if the production of opium, with its attendant evils, is to be suppressed, the peasants of the East must be allowed to replace the cultivation of the poppy by that of some other profitable plant. The question is an economic one, and for this reason we have supported the American proposal to convene an economic conference on the subject.

On this practical basis, Persia will be able to take steps which will allow her to co-operate whole-heartedly with all other nations in the suppression of this scourge. With time and perseverance we shall attain our goal.

The President :

Translation : M. Reynald, delegate of France, will address the Assembly.

(M. Reynald mounted the platform amidst the applause of the Assembly.)

M. Reynald (France) :

Translation : Mr. President, ladies and gentlemen—All the opinions which have been expressed from this platform have been marked by one common desire, namely, that of carrying on a campaign, on the most expedient and effective lines, against the abuse of opium. This common aim has been so strongly felt that it has been possible to overcome such differences

on matters of detail as have revealed themselves in Committee. I would not, therefore, have referred to them at all if previous speakers had not done so.

I feel constrained to place before you, in a few words, the standpoint of France. I might even say that I am grateful to the delegates both of the Netherlands and India for having thus broadened the basis of the discussion.

In Committee a controversy arose on the question of the interpretation and value of definitions. I prefer, however, to go beyond these narrow limits and to place the question on what appears to me to be the right basis and to explain the attitude of my Government.

Our desire, apart from any discussion of the text, is that this opium question, for the consideration of which conferences are to be summoned, should be studied on the broadest and most comprehensive lines possible.

In regard to the dangers or benefits of chewing opium, I am not so competent to speak as the delegate of India. He repeated here what has been said elsewhere, that the consumption of opium in this form was beneficial, and did not constitute an abuse; it was to a certain extent a family remedy which could be taken without ill effects. I am by no means convinced that this is so. I do not know whether it is better to smoke or to chew opium, or whether it is more completely absorbed in the process of chewing. It appears to me that, in smoking opium, part of the drug necessarily evaporates.

Nor will I raise the question in the simple form in which it was put to me by one of the members of the Committee:—"Taking it for granted that the use of nicotine is in itself an abuse, the question at issue amounts to this—is it preferable to smoke a cigar or to chew it?" I repeat that I will not myself go so far as this. Nor is it my intention to treat the question from the technical standpoint, regarding which I am fully aware I am not competent to speak.

I am, nevertheless, fully prepared to admit that there are in India habits and customs which cannot be ignored, and that the regulations which we wish to introduce should not be made immediately antagonistic to these customs, nor should they, by running counter to these habits, give rise to social disturbances in the country.

In Committee the French delegation supported the reservations and declarations made by the representatives of the United States. In so doing it in no way wished to obstruct the scheme, but, on the contrary, with a full sense of responsibility, sought to contribute towards promoting as rapid an enquiry into the subject as was practicable. The French delegation desired that the examination of the opium problem should be carried out at the forthcoming Conferences in circumstances which would afford the most ample opportunity for a thoroughly comprehensive study. Herein we differ no doubt from some of our colleagues, but we are convinced that our opinion is in accordance with the facts and with the necessities of the case.

If it is a fact—and this only a technical investigation can prove—that certain methods of opium consumption have no detrimental consequences, that fact will be recorded. But our desire is that no method of consumption should be exempt from the examination, control and supervision which we consider to be indispensable. If the League of Nations wishes to pursue its work in this field, it must see that there is no relevant matter which the experts who are to meet together for this purpose are not competent to examine.

In conclusion, as I have had occasion, in order to explain the French standpoint, to refer to and support the declarations made by the representatives of the United States, you will perhaps permit me to state that it is a matter for congratulation that an American mission should have come and co-operated with us in our task. We have already expressed our

satisfaction in the Committee itself. This satisfaction should also, I think, be recorded by the Assembly.

The collaboration of the United States in this work is doubly valuable, because it is certain that from the point of view of effective action and the realisation of our aims she will undoubtedly prove herself a powerful ally. Such collaboration is all the more valuable because any support given by the great American Republic may, in so far as this support is given to the principles and subject of our studies, be regarded as a happy augury for the League of Nations itself and as a valuable indication that its work is appreciated by this great nation which has not yet seen its way to join us, but which is nevertheless not indifferent to the humanitarian aims which the League is pursuing, nor to the methods which it is adopting with a view to their realisation. (*Loud applause.*)

The President :

Translation: Does any one wish to speak? If not, the discussion is closed.

The resolutions are as follows :

I. *The Assembly expresses its deep appreciation of the very valuable work done by the Advisory Committee on Traffic in Opium and other Dangerous Drugs, adopts its report and resolutions, taking note of the reservations contained therein, and asks the Council to take the necessary steps to put these resolutions into effect.*

II. *The Assembly, in view of Turkey having agreed, by the Treaty of Lausanne, to adopt and to enforce the International Opium Convention of 1912, and in view of its importance as an opium-producing country, expresses the wish that the Turkish Government—on its ratification of the Convention and signature of the final Protocol of 1914—be invited to nominate a representative to serve on the Advisory Committee.*

III. *The Assembly asks the Council to repeat its request to the Governments of Albania, Argentine, Colombia, Costa Rica, Lithuania, Paraguay, Persia and Switzerland, that they should take all possible measures with a view to the prompt ratification and application of the Opium Convention.*

IV. *The Assembly, taking note with regret of the fact that a number of countries have not yet adopted the import certificate system as recommended by the Assembly in 1921 and 1922, reiterates the opinion expressed by the Assembly in 1922, that this system is the most practical method yet suggested for controlling the import and export of the drugs in accordance with the provisions of the International Opium Convention and that its success depends on its adoption by all countries engaged in importing or exporting the drugs. In view of the serious difficulties created by the non-adoption up to the present, of the system by several important countries, requests that the Advisory Committee may be instructed to proceed with the consideration of the suggestion contained in the second resolution adopted by the Assembly in 1922, and to report specially to the next Assembly on the whole situation.*

V. *The Assembly approves the proposal of the Advisory Committee that the Governments concerned should be invited immediately to enter into negotiations with a view to the conclusion of an agreement as to the measures for giving effective application in the Far Eastern territories to Part II of the Convention and as to a reduction of the amount of raw opium to be imported for the purpose of smoking in those territories where it is temporarily continued, and as to the measures which should be taken by the Government of the Republic of China to bring about the suppression of the illegal production and use of opium in China, and requests the Council to invite those Governments to send representatives with plenipotentiary powers to a conference for the purpose and to report to the Council at the earliest possible date.*

VI. *The Assembly, having noted with satisfaction that, in accordance with the hope expressed in the fourth*

resolution adopted by the Assembly in 1922, the Advisory Committee has reported that the information now available makes it possible for the Governments concerned to examine, with a view to the conclusion of an agreement, the question of the limitation of the amounts of morphine, heroin or cocaine and their respective salts to be manufactured; of the limitation of the amounts of raw opium and the coca leaf to be imported for that purpose and for other medicinal and scientific purposes; and of the limitation of the production of raw opium and the coca leaf for export to the amount required for such medicinal and scientific purposes, requests the Council, as a means of giving effect to the principles submitted by the representatives of the United States of America, and to the policy which the League, on the recommendation of the Advisory Committee, has adopted, to invite the Governments concerned to send representatives with plenipotentiary powers to a conference for this purpose, to be held, if possible, immediately after the conference mentioned in Resolution V.

The Assembly also suggests, for the consideration of the Council, the advisability of enlarging this conference so as to include all countries which are Members of the League, or Parties to the Convention of 1912, with a view to securing their adhesion to the principles that may be embodied in any agreement reached.

(The resolutions were unanimously adopted.)

66.—INTELLECTUAL CO-OPERATION: REPORT OF FIFTH COMMITTEE.

The President :

Translation: The next item on the Agenda is the examination of the conclusions of the report submitted by the Fifth Committee on Intellectual Co-operation. (Annex 19; A. 102, 1923.)

I call upon M. Bardoux, Rapporteur, to take his place upon the platform.

(M. Bardoux mounted the platform amidst the applause of the Assembly.)

The President :

Translation: The Rapporteur will address the Assembly.

M. Bardoux (France), Rapporteur: I think that I should be a very poor apostle of Intellectual Co-operation, if I did not deliver my speech in English. I think also that it is my duty, speaking for the first time before the League of Nations, to pay, by this act of courtesy, my debt of gratitude to British universities, British civilisation, and, last but not least, the British Army.

From the report which is submitted for your approval, three facts ought to stand out clearly: a principle, an organisation, a programme.

What is the principle? The League has created an Economic Committee. Why? In the hope that circulation on railways, access to seaports, entrance through Customs gates may be more easy. I think that the League has pursued a further objective. In international conflicts economic questions play a greater part as States get more industrialised. Need of industrial markets, need of raw materials are forces that make for peace. They may lead to war. We must go slowly and carefully, so as to arrive at some kind of equilibrium and harmony between clashing interests. How? By mutual help and by interpenetration.

The League of Nations has created an Intellectual Committee. Why? Is it only with the hope that foreign languages will be learned, scientific books exchanged,

boy scouts well received? I think that the League pursues a further objective. International conflicts are not always and only brought about by economic interests. Memory, a theory, a word, weigh sometimes on a Government's decisions as heavily as tons of steel and shiploads.

There is the problem of industrial markets, but what about the problem of human misunderstanding? Thought, like industry, is a force that makes for peace, but may lead towards war. An economic nationalism may refuse to share and may dream of dominating. But cannot an intellectual nationalism refuse to understand and dream of isolation? Slowly, carefully, we must arrive at some kind of equilibrium and harmony between clashing minds, as between clashing interests. How? By mutual help and by interpenetration.

The Fifth Committee unanimously believes in the pacific effect of intellectual co-operation and moral interpenetration. Events have strengthened this belief. Not only in the economic world, is there under-production and under-consumption. Too many lands are uncultivated and too many minds are uncultivated. It is not enough to increase cornfields. The regard for intellectual work must be increased. Large crops are necessary in all lands: those of the earth and those of the mind. These latter crops will mature only if intellectual labourers, hard hit and too much forgotten, have more facilities for and more security in their work. This is the unanimous belief of the Fifth Committee. We submit to your approval an organisation and a programme.

Before I touch on these two points I should like to reassure you as to the extent of this intellectual co-operation. There must be neither encroachment, nor assimilation. In this matter national feeling can be easily hurt. Culture is the cement of political unity. Original features are the conditions of intellectual production. The powers of the League of Nations are reduced by the fact that, in this matter, where individual activities and free groups play the greater part, the powers of the States themselves are every day smaller. Intellectual co-operation has therefore very narrow limits.

It is the same for moral interpenetration. Contact with foreign civilisations is the best way of improving a cultivated mind. The best land, if it is not improved, loses very soon the fertility of former days. But on the other hand if the foreign stamp is too deep, or if the foreign marks are too different, the mind loses its equilibrium. It is quite unnecessary to encase in intellectual chivalry the number of knights-errant—neither assimilation nor encroachment. But these narrow limits do not prevent the work of intellectual co-operation from being as necessary and as peaceful as economic co-operation. There is always a point where a sound idea becomes untrue, and this teaches us all, even the ladies, that we must not be overbearing.

What about organisation? At Geneva: an International Committee on Intellectual Co-operation and an International Office of University information, and in the various States National Committees of Intellectual Co-operation, and if possible national offices of university information. I see objections forming in your mind. An International Office of University Information? Will it not be a kind of Ministry of Intellectual Education? Not at all. A Secretary with two shorthand-writers will be the permanent link when the Committee of Intellectual Co-operation is not sitting. An International Committee on Intellectual Co-operation? Will it be the secret executive of intellectual internationalism? Not at all. I wish it to be a kind of mirror which will give a vision of the human mind—and I wish it to be cut with facets, so that the light may be more striking. Various intellectual methods must be represented, and also various intellectual civilisations. Those two realities are equally striking in psychological life. They are two reflected colours of the eternal

light. This double representative character will make the Committee at the same time more competent and more prudent.

The enthusiasm with which old and new nations have asked to be represented on the Committee is the best proof that the idea of intellectual co-operation is full of life, and may be full of promise for the future. The Council can, by a kind of rotation and by slightly increasing the number of members of the Committee, give some satisfaction to these ambitions, which are not dangerous, as they can be expressed only by putting forward the name of a man whose ability must be undisputed and his fame world-wide.

What about the programme of this organisation? It is moderate and practical and is outlined in the report. National enquiries will have to be published; university information will have to be collected; scientific information will have to be facilitated; conventions for the exchange of publications will have to be revised; co-operation between libraries will have to be organised.

I should like to say a few words about one of the items on this programme: the proposal made by Senator Ruffini and inspired by M. Barthélemy for a Convention which should create a kind of copyright for the scientists who discover an unknown element in the world or invent something unknown to modern science, discoveries and inventions of too high and too theoretical a character to be protected by an industrial patent.

Why should it be more profitable to invent a fox-trot than wireless telegraphy—to invent a curtain-rod than radium—to invent a variety piece than quinine? Why between these mysterious springs make a choice? Why between these up-rising lights extinguish this and protect the other? Why should the rights granted to creative imagination be reduced, as its divine power of penetration increases? Why this illogical inequality? Why this refined injustice? Why this premium granted to international privateers?

The result may be made clear by a short anecdote. A Frenchman named Martin invented a process, which enabled ironworks to use phosphorated iron-ore. Later on Martin furnaces were built. Many industrial people said that some money ought to be given to the Frenchman and they sent the money to France. The French organisation said that Martin was dead, but in fact he was living a very poor life in a very poor village. Why this injustice?

Is it because the general interest asks that inventions should flow freely through the world?

The intention is not to prevent any man from using any invention, but only to prevent all the money going into the pocket of someone who has, so to speak, picked up the invention in the street. A part must go to the scientist, and another part must go to the laboratories.

Why this daily injustice? Is it because an invention is always the result of collective work? This is the case with all kinds of inventions, literary and artistic. There are no bulkheads inside a man, or between a man and his fellows. Each man belongs to the past and lives in the future. All kinds of voices speak in each soul: the dead go on speaking.

It is expedient therefore to give the same guarantees for all forms of invention. Only technical difficulties exist and they apply likewise in the case of industrial patents. It is always easier to be unjust than to be just. But we are here to ensure justice. It is our duty to see that the guarantee granted to industrial inventions is extended to scientific discoveries, so that there may be no inequality between the guarantees granted to intellectual property and the value accorded to intellectual work. I hand over to you in perfect confidence the claims of my fellow-workers.

A last word. The League of Nations has chosen a great French philosopher to preside over the Committee on Intellectual Co-operation, a well-known French historian to report on intellectual co-operation to the Council, and a French intellectual labourer to report

to the Assembly. This is a very striking and generous compliment paid to one of the characteristic features of the French mind. The French people, from their history and their geographical situation on the European isthmus, have always been well prepared to appreciate the merits of foreign civilisations.

To this centuries-old tradition of human understanding and goodwill, the war generations will remain faithful. More than others, these intellectual workers, feeling how great was their debt towards their people and their land, separated themselves for five years from the joy of creating and thinking, and came down to take part in the "mêlée". These men will not forget their duty of human co-operation. A Frenchman is too much of a peasant not to have a good memory and to be able to foresee events, but, thank God, we never have known and never will know how to hate. (*Applause.*)

The President :

Translation : Mlle. Vacaresco, delegate of Roumania, will address the Assembly.

Mlle. Vacaresco (Roumania) :

Translation : Mr. President, ladies and gentlemen—My first desire in addressing you is to offer you my thanks. While I have no wish to prejudice your voting, I should like, in advance, to express our deep gratitude for the decision which we are soliciting.

The Fifth Committee has seen fit to adopt a motion which was supported by the delegate of France, M. Jacques Bardoux, with great vigour and in especially happy terms. The motion is included in the report of the Committee.

I should like to pause for a moment to pay a tribute to this report, which is a monument of subtle logic and profound knowledge. In it M. Bardoux has combined the keen and infectious qualities of his race with the ideal of international collaboration, which is characteristic of the Committee on Intellectual Co-operation, and which is so fully illustrated and so admirably defined in M. Bardoux's report.

In 1921, on the initiative of M. Léon Bourgeois, the Assembly decided to request the Council to form a committee to deal with international questions of culture and education. This committee was to consist of not more than twelve members, to be appointed, of course, by the Council.

The Council made these appointments. With one exception it selected the twelve members from among the nations represented here. Let me call to mind the list as it was first drawn up. It contained names that shed an immortal light, such as M. Bergson and Madame Curie, who is rightly claimed by our beloved Polish ally as a glory to her race ; the great man who showed a certain relativity in leaving us so abruptly ; M. de Reynald, to whom intellectual co-operation owes a heavy debt ; and Professor Gilbert Murray, the faithful and zealous friend of this institution.

I pass from them and others of no less distinction to say that, in this list of revered names (for such I believe it was desired to be)—on this, if I may so term it, triumphal arch, raised to the glory of the races that have preserved a great ideal and accomplished a lofty task—I find no hint that the Serb-Croat-Slovene, Czechoslovak and Roumanian peoples have fulfilled their whole duty to civilisation.

Such is the case, and it is not for us to offer criticism. We are not setting up a simple tribunal at which the wisest minds are invited to assist, nor one of those institutions dealing with material things, the door to which is sometimes successfully forced by the rich and powerful. We are creating the solemn, the incorruptible assizes before which the intellect of man is judged—a laboratory in which, with the elements it has conquered, the human intellect will test the formulæ on which to base its future. The work will demand,

above all, lucidity and sublimity of thought, and those who have not been invited to put their hands to the wheel might regretfully think that they were not considered worthy.

Creators of the Covenant, lovers of the liberty ensured by the League, jealous of the loving-kindness of which it is the symbol, we shall rejoice to see fresh stars appear in that bright firmament from which certain constellations are still missing :— South America, where the sword, planted in her richly-varied soil by the conquistadores of old, is now encircled by the dense forest of a maturing civilisation ; Asia, mother of religion, source of myth ; the Gaelic soul, with its love of legend, that lurks hidden in the being of us all ; Portugal, torch of Latin civilisation, illuminating the banks of the Tagus, shedding its light upon the very confines of a vast continent—Portugal, saviour of Christianity, ploughing the uncharted seas to the songs of Camoens, uplifted by the faith of Gama. (*Applause.*)

It will be for the Council, with its keen discernment, to find a place for all these countries in the work of intellectual co-operation—for all countries which, whether at the outset or later, have joined us in our claims—and yet to give priority to the country which was the first to put forward that claim.

M. Léon Bourgeois gave us, in this very matter of intellectual co-operation, an instance of his wonted scrupulous and conscientious solicitude for the principles of the equality and brotherhood of peoples, when he recommended that the utmost care should be taken never on any occasion to offend national susceptibilities.

A strong candidate for inclusion in the Committee is Czechoslovakia, with her four illustrious universities, her technical and normal schools, her primary and secondary schools strewn thick throughout the land, with her young and flourishing literature, her ability to survive trial and tribulation. Another candidate is the Kingdom of the Serbs, Croats and Slovenes, with her renowned universities of Belgrade and Zagreb, the wondrous epic of her people, her present contributions, both in poesy and prose, to the advancement of human thought ; my country, too, with her far-famed university of Bucharest, the universities of Jassy and Czernowitz—all Roumania with her beautiful folk-songs, her quivering soul.

I have ventured to speak of my country and to say how deeply we should appreciate the appointment of a Latin representative, of a representative of our united and allied countries, to share in the work of intellectual co-operation ; I do this in order to remind you that our civilisation, which in the city of the Cæsars was able to construct an edifice of logic and of law upon sure foundations and in an atmosphere of security, was transported from Rome to the eastern outposts of Europe, to the outer darkness where still it maintained a ceaseless struggle. There, entrusted to the guardianship of my people, the sacred torch of the culture which we inherited has never been put out.

When we came here to collaborate with our *alma mater*, Italy, and with our beloved and noble sister, France, we brought part of that heritage which has been handed down to us by our ancestors, and we found in the principles of the League an echo of those principles which we have ourselves striven to save from destruction.

Transport a civilisation from one clime to another ; graft new shoots upon it, but leave its historic roots untouched ; and will its flowers change their colour, or its fruits their savour, and will it give forth new and unwonted products ? This is a possibility which must be taken into consideration, and from which one day profit may perhaps be derived in the work of intellectual co-operation.

Because they have instructed the barbarian to forsake his old pleasure for the pleasures of enlightenment,

because they have successfully revived and launched a great spiritual movement Roumania, Czechoslovakia and the Kingdom of the Serbs, Croats and Slovenes deserve a seat upon the bench of honour set up by the Assembly and the Council.

The door is not locked; it hardly resists; a touch—and it is open. It opens to a woman's hand, for woman is endowed with power to enter upon bold enterprises, though with a fluttering heart for, by feeling rather than by reason are her triumphs won.

I would, as a last word, again recall the nobly-inspired doubts that assailed M. Léon Bourgeois on the subject of national susceptibility, for in the vast and varied field of human thought this susceptibility is Newton's apple, the questing spirit of a Pascal, the ship of a Columbus.

But the hour is late, and fateful time pursues me; I hear above my head the presidential clepsydra, invisible yet remorseless, telling the tenth and last drop that marks the close of my speech.

Once more I beg to thank the Assembly for the vote which I am persuaded it will give in favour of the motion which has been pleaded with such eloquence by M. Jacques Bardoux. (*Loud and prolonged applause.*)

The President :

Translation: M. Parra-Perez, delegate of Venezuela, will address the Assembly.

M. Parra-Perez (Venezuela) :

Translation: Ladies and gentlemen—I trust you will pardon me for addressing you at a moment when your time is so precious that the President has appealed to speakers to be brief, but I feel obliged to call your attention to the question of intellectual co-operation.

The lengthy and exhaustive debates in the Committees on this question, and in particular, on that of the enlargement of the Committee on Intellectual Co-operation, have brought out one point which the Assembly cannot ignore—namely, the growing interest shown in various countries—among which must be numbered the Spanish-speaking American countries in the development of intellectual relations between peoples, and in that organisation of the League which is entrusted with this task. I have no express mandate to speak on behalf of the Spanish-speaking American countries, but I think I shall be voicing the feelings of all their delegations when I say how much we appreciate the vote of the Fifth Committee which provides for a more equitable representation on the Committee on Intellectual Co-operation of the various branches of science and culture.

Indeed, despite the great and unquestioned ability of its members, despite the magnificent work which they have done, the Committee, as at present formed, is perhaps not quite able to meet all the calls made upon it. This point has been brought out by your Rapporteur, and there is no need to dwell upon it. I should like, however, to express our gratitude and admiration for the talent, the spirit and the feeling which M. Bardoux has placed at the disposal of so good a cause.

It was thought in certain quarters that, in proposing the enlargement of the Committee on Intellectual Co-operation, a new spirit might arise which would not sufficiently take into account the mentality and intellect, and especially the university life, of various countries. It would be quite unjust to credit the American countries with feelings of this nature. There is no cause for anxiety. We do not seek to revolutionise or disturb; our aim is to share in the work for the improvement of intellectual relations between the nations; but, in so doing, we consider that due attention should be paid to the rights of these eighteen nations beyond the ocean, which, despite possible divergences of interests, own as a common heritage three great human attributes—thought, creed, language.

In this matter, there are no politics—at any rate, in the depraved sense sometimes given to that noble word. For we, too, are of the opinion that the only possible criterion is an appeal to ability, not in a restricted but in the widest sense.

Spanish-speaking American delegates are, I am sure, anxious to thank those of their colleagues who have supported them on the Committee and elsewhere, and I should certainly be lacking in the proverbial gallantry of our race were I to fail to express our grateful admiration for Mlle. Vacaresco in particular; she has done battle in the cause of the three great nations of Central and Eastern Europe and by her warm and striking eloquence she has at the same time served the cause of Latin culture in America. (*Loud applause.*)

The President :

Translation: M. Chao-Hsin Chu, delegate of China, will address the Assembly.

M. Chao-Hsin Chu (China) :—I want to say a few words on this subject of Intellectual Co-operation on the ground that I have the honour of representing a country which has developed intellectually and historically. China in the old days closed her door to the outside world. She developed all branches of culture, particularly along the line of intellectualism, although scientifically she had her own inventions, such as gunpowder.

China has been able to remain a sovereign State for several thousands of years, chiefly owing to her intellectual qualities, without which no country can prosper in her national life, no matter how rich her material wealth may be. Some people sneer at China, simply because of her backwardness in scientific development. I consider scientific civilisation to be valuable, but spiritual civilisation is a necessity to a nation. Scientific things can be easily copied by experts or bought with money.

There are many fields of study in the East which are worth introducing into the West. Not only Eastern historical, classical and philosophical books should be translated, but also those dealing with agriculture, history and other subjects.

The intellectual instinct and its development in different peoples are all alike. A great Chinese philosopher says that a sage of the East Sea and one of the West Sea have the same mind and the same method of reasoning.

The world of to-day is becoming smaller and smaller owing to the facilities of modern transport, and it is now quite easy to bring together the new and old civilisations, not only for the exchange of knowledge and ideals, but also for disseminating intellectual development among the peoples of different parts of the world. Intellectuals are internationals. There is no barrier to intellectual intercourse.

I agree whole-heartedly with the proposals of the Fifth Committee, such as the interchange of professors and students. China has sent over two thousand students to America for scientific study, and a still larger number are studying in different countries in Europe. I hope that European students will come to China and to other countries in the Far East. Intellectuals should be invited to lecture on Oriental culture in different universities in Europe. It would be advisable for the European universities to give courses in Chinese classics, history, philosophy, etc. Books on Oriental studies should be added to the library of each University for the benefit of those who are interested in Chinese intellectual pursuits.

In making these suggestions, I have no selfish motives. The question is not that of giving engagements to Oriental professors but rather the mixing of the intellectual developments of the West and the East.

The Chinese have derived great benefits from Western civilisation, and we want to give something in return which may be beneficial to the intellectual world of the West. Westerners come to the Far East, but only for trade and commerce; very few of them have looked for anything which is more valuable than money. Money is merely a material object; its value is limited. I would ask Westerners not to overlook that in the Orient which is invaluable and which money cannot buy. In other words, they should not overlook the intellectualism of the East, which should, I feel, be exchanged for and mixed with the intellectualism of other countries. Our door is wide open for the exchange of ideas and knowledge; for this reason I proposed, in the Fifth Committee, that the work of intellectual co-operation should cover the whole field of intellectualism, including that of my own country, China. (Applause.)

The President :

Dame Edith Lyttelton will address the Assembly.

(*Dame Edith Lyttelton mounted the platform amidst the applause of the Assembly.*)

Dame Edith Lyttelton (British Empire):—I will do my best not to keep you more than three minutes. M. Bardoux was the godfather of the eighth resolution at the end of the report; he was kind enough to put it in his report on condition that I spoke on it, because he was not so keen about it as I was.

I want to emphasise by that resolution the importance of men and women realising that young minds are those which we should try to impress the most. It is particularly pleasant to speak of this subject in Switzerland, because Switzerland owned the man who was a pioneer in the matter of the education of children, Pestalozzi. I would also like to speak here of that great Italian, Madame Montessori, who was the pioneer of a new form of education for children.

There is no doubt that little children can be indelibly impressed for the rest of their lives by what is shown to them when they are very young.

I will tell you a secret. If all the women combined all over the world to teach their children to hate war, and if they fostered the ideals of brotherhood, there would not be any war. If women chose to combine they could disarm the world. But you need not be afraid; I do not think they will do it! Before I last left London, I saw my little grandson of three marching up and down the room drilling an imaginary regiment of soldiers and holding a gun. That is a common sight; almost everyone, probably, will have seen it.

The fact is that almost all the influences to which children are exposed, are directed away from peace and towards war. Playing at soldiers is very amusing, and I do not know that it would be possible to make it amusing to play at being the League of Nations. Children can be told, however, about the Covenant just as well as about colonies, navies, conquests and armies.

So much for the nurseries. A great deal can also be done in schools. Governments might find that the League of Nations Unions in their countries would be of great assistance in this respect.

Only one word more. My resolution—that is to say Resolution VIII at the end of the report—only asks the Governments to give their attention to this matter. It does not attempt to express or to define how the resolution can be put into effect.

An English writer on education once called children the barbarian tribes of the world. These children are clamouring at the doors of the Senate. Every single seat here will be occupied by the children who are now outside. I think it is our duty to see if we can inoculate

them with the feeling for world-citizenship. Let us at any rate impress on them that the League is the only piece of international machinery yet devised for the attainment of the ideals of peace and brotherhood. (Applause.)

(*The discussion was adjourned until the next meeting.*)

67.—INTER-MUNICIPAL RELATIONS: REPORT OF AGENDA COMMITTEE ON PROPOSAL OF CUBAN DELEGATION: RESOLUTION.

The President :

Translation: The Agenda Committee, in the course of its meetings, has studied the following proposal submitted by the Cuban delegation on the doctrine of inter-municipality.

The Committee is of opinion that, as this question is not urgent and in view of the advanced stage of the session, it should be placed on the agenda and referred to the next Assembly.

The resolution proposed by the Agenda Committee is as follows:

The Assembly decides:

"To place on its agenda and to refer to the fifth Assembly of the League the following proposal submitted by the Cuban delegation:

"Whereas the maintenance of direct relations between the important municipalities of the various countries is a new form of co-operation between peoples which will contribute largely to diffusing the ideals which led to the creation of the League of Nations and which guide its work,

"The Assembly decides to accept with the greatest sympathy the principle of closer municipal relations which the Santiago Conference recommended to the Members of the Pan-American Union for adoption."

(*The resolution was unanimously adopted.*)

68.—INTERNATIONAL ARRANGEMENTS FOR LEGAL ASSISTANCE FOR THE POOR: REPORT OF AGENDA COMMITTEE: RESOLUTION.

The President :

Translation: The Agenda Committee has studied the proposal submitted by the Norwegian delegation on legal assistance for the poor.

In agreement with the Norwegian delegation, the Committee proposes to the Assembly, the following resolution:

The Assembly decides: "(a) To place on the agenda of the fifth Assembly the question referred to in Memorandum A. 119. 1923. V (Annex 17) regarding international arrangements for legal assistance for the poor;

"(b) To invite the Secretary-General to prepare a report in the meantime and to make such enquiries, under the authority of the Council, as may be found desirable, without expenditure of League funds."

(*The resolution was unanimously adopted.*)

The Assembly rose at 1.20 p.m.

SIXTEENTH PLENARY MEETING

Thursday, September 27th, 1923, at 4 p.m.

President: M. DE LA TORRIENTE Y PERAZA.

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69.—INTELLECTUAL CO-OPERATION: REPORT OF FIFTH COMMITTEE: CONTINUATION OF THE DISCUSSION: RESOLUTIONS.

The President :

Translation : The first item on the agenda is the continuation of the discussion on the report of the Fifth Committee on Intellectual Co-operation (Annex 19 ; A. 102, 1923).

M. João Chagas will address the Assembly.

(M. Chagas mounted the platform amidst the applause of the Assembly.)

M. Chagas (Portugal) :

Translation : Mr. President, ladies and gentlemen—The Fifth Committee, in its report to the Assembly, suggests that it should be laid down that the Committee on Intellectual Co-operation cannot have full authority nor be fully effective unless it is really and entirely representative—in other words, it should include not only the various intellectual methods but also the various national cultures.

Accordingly, the Fifth Committee, in its first resolution, requests the Council to consider the possibility of increasing the number of members on the Committee, introducing at the same time a system of rotation to be determined.

I was somewhat surprised to note that the question of determining whether a State possesses a culture worthy of representation on an intellectual committee is to depend on the favourable or unfavourable decision of the Council, and that its admission to the Committee may possibly be made subject to a system of rotation. A similar proposal has been made as regards admission to the Council itself, but this, I think, is quite a different matter; in the case before us it is not a question of having a general right, but of fulfilling certain definite conditions.

I beg warmly to support the request of my country to be allowed to share in the work of the Committee, seeing that it is a State possessing a literary tradition and a literature, and universities and schools which are very real centres of culture.

Spain boasts her Salamanca ; and we, too, are proud to number amongst our educational centres the oldest university in the world—Coimbra. We are proud, too, of having given to Europe professors such as the brothers Gouveia, whose name is bound up with the glorious history of the college of St. Barbe.

Our literature has the same origin and dates from the same period as our nationality. The

troubadours of Provence sowed the seed of which the rich language we speak is the harvest. The scholar Denis founded the Courts of Love, and made of them one of the first homes of national poetry.

From that date Portugal has ever been a country of scholars. First came chroniclers such as Fernan Lopéz, the peer of Froissart; then dramatists such as Gil Vicente, the founder of the national theatre; preachers, such as Father Vieira, who raised sacred oratory to such dazzling heights; poets such as Luiz de Camoens, who has made the genius of the Lusitanian race immortal; all these have gained for Portugal a place amongst the most cultured peoples of the civilised world and have secured for her an intellectual prestige upon which she bases her claim to honour.

In modern times Portugal has always been one of the most active collaborators in the European intellectual movement. The literature of the nineteenth century is incomparably rich. It produced historians, novelists, writers of romance, moralists and poets, who would have achieved glorious celebrity had they written in another tongue. Herculano is a historian on the same plane as Augustin Thierry; the novelist Garrett vies with Walter Scott; Eça de Queiroz is, the equal of Flaubert and Maupassant, and known and admired throughout Latin America. Nor must I forget the revered Guerra Junqueiro, whom death has just removed from us, and who struck all the chords of the lyre of a Victor Hugo.

Portugal founded the Royal Academy of Science and carried the fruits of her culture to Brazil. It was a Portuguese monarch who, at the birth of the great Brazilian nation, first set on foot the movement which made of modern Brazil a centre of noble intellectualism.

The high standing of the literary work of Portugal has been recognised in most of the principal languages spoken throughout the civilised world. *Os Lusíadas* has been translated into almost every tongue, and our classics, such as Barros, have been translated into French, Italian and English. Mendez Pinto, a traveller whose name is so familiar in the East, has been translated into French. The letters of the Portuguese nun—one hundred immortal pages of unhappy love—have moved whole generations, and belong to the common heritage of world literature.

I will not pursue further the enumeration of my country's claims to take her place in the League of Nations beside those nations who base their claim upon their culture, and I beg the Council to take the claim of my country into consideration when choosing the members of the Committee on Intellectual Co-operation.

In conclusion, I should particularly like to address my warmest thanks to Mlle. Vacaresco for the kind words she spoke of Portugal in the course of her admirable speech. I beg to express my profound gratitude, both on my country's behalf and on my own. (*Applause.*)

The President :

Translation : Mme. Bugge-Wicksell, delegate of Sweden, will address the Assembly.

Mme. Anna Bugge-Wicksell (Sweden) : Mr. President—The Swedish delegation has presented an amendment to the sixth resolution substituting for the words: "approving the principle of Senator Ruffini's scheme" the words: "noting with great interest Senator Ruffini's scheme". This amendment makes no difference to the substance of the resolution.

We have no objection to this very interesting scheme being referred to the Governments for examination; it is certainly the most remarkable

part of the whole report of the Committee on Intellectual Co-operation and deserves the most earnest attention both of the Governments and of the different national scientific bodies.

But the principle of protecting scientific ideas as such, a protection directed against the use of these ideas in such a way that profit may be drawn from that use, is so entirely new that the Swedish Government has not been able to consent to the expression introducing this resolution. It may be true that the formally expressed approbation of this principle does not confer upon the Governments a juridical or legal obligation; but it certainly contains a moral obligation. If that were not the case, why should the honourable Rapporteur refuse to accept the above amendment?

I quite agree that the principle of scientific protection is based upon a sense of justice and I can easily see that cases may occur, and have occurred, where a sense of justice will lead every one to approve of the principle. The question at issue, however, the question which wants careful examination is whether this principle, just and equitable though it may be, does not contain some elements of danger to certain aspects of scientific life as valuable and as indispensable as justice, and whether the justice demanded ought not to take other forms than the proposed protection. I will try to elucidate what I mean by giving a few concrete cases.

Some thirty years ago a Norwegian linguist succeeded in reading the so-called Tell el Amarna Tables. It was a discovery of a quite new language. The work done was purely linguistic; the grammar of the language was described, a vocabulary was given and its proper place in the different groups of languages was determined. There the linguists' work finished. But by that work all the Tell el Amarna Tables can now be read. I believe that there are thousands of them.

Now, suppose that some historian reads them and finds that they contain most valuable contributions to the history of those ancient times and throw new light upon some problems of ancient history, and that he wants to write and make known the results of his research. What will his position be according to the principle of protection? He certainly expects to draw profit from his work. He has reason to believe that his book will be largely sold. Perhaps he will be called to a seat as a professor of some important university. Will he be obliged to go to the linguist and pay him for using his discovery? Will not this be a serious handicap for him and perhaps even prevent him from ever beginning the study which probably would take years of his life? Is it useful to place such difficulties in the way of scientific research which always has a long and difficult path before it? It may be just that the linguist should be paid; but I am not absolutely sure of the justice of the historian having to pay.

Again, in the field of political economy take the theory of marginal utility. It was discovered by three political economists independently of each other and the whole modern science of political economy has been built upon it. Every theoretical economist has written about it, verifying it, developing it and applying it to practical economic life. If the principle of protection had been realised, in what way would it have affected this whole development? This question certainly deserves to be studied before the principle is approved.

Several other instances could be given showing the necessity of examining with great care the general bearing of the principle of scientific protection and the extension which it might be possible to give to it. Limiting the protection to mathematical, natural and medical sciences and to industrial exploitation only would perhaps be a solution; but I am not sure that it would be a happy solution. In

any case the Governments must have full liberty to study the whole plan without being bound beforehand either legally or morally.

The amendment which I now lay before the Assembly was raised by me in the Fifth Committee but was not accepted by the honorable Rapporteur and therefore was negatived by the majority of the Committee. It is difficult to believe that the Assembly should in this case go beyond the decision of the Council which only recommended the proposal to our attention without any previous approval. The Swedish delegation asks nothing more than that the same consideration be shown to the different Governments as was shown by the Council to the Assembly. (*Applause.*)

The President :

Translation : Does anyone wish to speak?

As no one wishes to speak, the general discussion is closed.

We will now pass to the amendment submitted by the Swedish delegation.

M. Bardoux, Rapporteur of the Fifth Committee, will address the Assembly.

M. Bardoux (France), Rapporteur :

Translation : Mr. President, ladies and gentlemen—I must begin by explaining the exact meaning of the first line of Resolution VI. What precisely is the question at issue? Are we asking you to give even general approval to Senator Ruffini's scheme? That is not our object, for in that event I should have to make, on behalf of the French delegation, certain remarks on the text itself. I should wish in particular to put forward the principle that universities and laboratories should share in the profits derived from the exploitation of scientific inventions.

It is not, therefore, a question of approving Senator Ruffini's scheme even in its main lines. The position is much simpler. I tried this morning in two languages to explain that we were asking for your approval on a question of principle. The question is whether the same protection should be extended to a particular form of human invention as is accorded to other forms inferior in beauty, grandeur, utility and fruitfulness. That is the whole question.

Approval in principle means that the respective Governments will be under a moral obligation to give careful consideration to Senator Ruffini's scheme, and to communicate to the League their amendments, objections, and also their approval, if they do approve.

I, personally, am not prepared to accept the modification proposed by the delegate of Sweden. Mme. Bugge-Wicksell has quoted two examples in justification of her contention. I venture to submit that these two examples do not appear convincing.

She quoted the case of a linguistic discovery and the discovery of a formula in political economy. Both these discoveries are to a large extent already guaranteed by international legislation. The author of a pamphlet concerning that linguistic discovery or of a treatise on that formula in political economy is protected under the copyright laws. Nobody would be entitled to cite these discoveries without referring to the work in question. In certain countries the law is so severe that any person venturing to quote an excessive number of passages from the pamphlet or book in question would run the risk of legal proceedings. Such is the position, for instance, under British law.

I do not think, therefore, that these particular objections, serious as they may be, justify the honourable and very creditable scruples of the Swedish delegate.

In short, I cannot accept her amendment, and this for three reasons. First, I am bound by the instructions of my Government. In accordance with these instructions, which I have before me, I am to give my consent, on behalf of the French delegation, to the principle contained in Senator Ruffini's proposal.

The second reason is that the vote taken in the Committee was, if not unanimous, at any rate almost unanimous.

Lastly, there is a third reason to which I would draw your special attention. It is indubitable that the question of the protection of scientific property is causing lively discussion in intellectual circles where all eyes are turned towards the League.

This is, if I recollect aright, the first time that you have had before you a claim put forward by intellectual workers on behalf of their profession; as you know, the support of the thinkers of the world is necessary for your work of peace and construction. I therefore ask you to think twice before discarding a reform which, as I have endeavoured to show, is both urgent and equitable. (*Applause.*)

The President :

Translation : If there is no opposition, I shall consider the following five resolutions, which have not given rise to a debate, as adopted.

I. The Assembly,

Considering it desirable to increase the authority of the Committee on Intellectual Co-operation by enlarging it so that it represents not only the various intellectual methods but also the various national cultures ;

Having noted with satisfaction the intention expressed by the Council at its meeting of April 23rd, 1923, of adding to the Committee on the occasion of the next vacancy a professor of the University of Vienna as representative of the Germanic culture ;

Having noted also the legitimate demands expressed by the delegates of Roumania, the Kingdom of the Serbs, Croats and Slovenes and Czechoslovakia, by the Spanish-speaking delegates of America, by the Asiatic delegates and by the delegates of Ireland and of the Finno-Ugrian nations ;

Requests the Council to consider the possibility of increasing the number of members on the Committee, introducing at the same time a system of rotation to be determined.

II. The Assembly, considering that it is important to encourage and to facilitate the work of mutual intellectual assistance among the various nations, endorses the resolution adopted by the Council, and

(a) *Expresses the hope that the Committee on Intellectual Co-operation, availing itself of the help of the delegates of the National Committees, will, at its next session, take up with renewed energy the urgent problem of intellectual assistance ;*

(b) *Is of opinion that National Committees should also be established in those countries which have already organised intellectual co-operation on definite lines and in a different way ;*

(c) *Requests the Council to ask the Governments of the Members of the League of Nations to be good enough to lend their moral and financial support to these National Committees—if they have not already done so—and to authorise the Committee on Intellectual Co-operation to receive from any institution or private person interested in the work, funds destined for this purpose ;*

- (d) Invites the Committee to continue the investigation into the conditions of intellectual life which it has started and to communicate the results obtained.

III. The Assembly, taking note of the statements of the Committee and of its Chairman in regard to the impossibility of continuing their work unless an international university information office is formed, authorises the Committee to convert its secretariat into an international university information office.

The initial activities of this office might include :

- (a) Communication of the recommendations of the Committee on Intellectual Co-operation for their information to the competent authorities and particularly to the national university information offices.
- (b) Publication of any information which it may receive, especially from national university information offices, where such offices exist, in regard to the equivalence of studies and diplomas recognised by different countries, the curricula of universities, especially university courses relative to modern nations, the teaching of modern languages, literatures and civilisations, and international vacation courses.
- (c) Preparation of a meeting between the University Sub-Committee and delegates of the international students' associations with a view to examining methods of extending the exchange of students, with the concurrence of their universities.
- (d) Establishment of relations with all the organisations existing in various countries for the purpose of rendering exchanges of professors more frequent.

IV. The Assembly, sharing the Committee's conviction that the international organisation of bibliography serves to establish closer touch between scholars in different countries and to facilitate their individual studies :

- (a) Invites the Committee to publish the "Index Bibliographicus" which it has planned and to pursue its enquiries in regard to co-operation between the libraries or groups of libraries which have been formed in the different countries, and in regard to the utilisation of the work of the International Bibliographical Institute at Brussels ;
- (b) Authorises the Committee forthwith to take the necessary steps to summon technical conferences for the purpose of co-ordinating the work of analytical bibliography abstracts in certain specified sciences ;
- (c) Requests the Council, in agreement with the Committee on Intellectual Co-operation, to convene a conference of experts to prepare the eventual revision of international conventions relative to the exchange of publications of every kind : books, periodicals, catalogues, papers and theses.

V. The Assembly, grieving at the calamity which has stricken the universities and libraries of Japan, invites the Committee on Intellectual Co-operation to study means of affording international assistance to facilitate the reconstitution of the library and scientific collections which have been destroyed in Japan.

(The first five resolutions were unanimously adopted.)

The President :

Translation : I ask the opinion of the Assembly on the amendment to the sixth resolution proposed

by Mme. Bugge-Wicksell on behalf of the Swedish delegation.

(The amendment was rejected, only six States voting in favour.)

The President :

Translation : The sixth resolution as proposed by the Fifth Committee is as follows :

VI. The Assembly, approving the principle of Senator Ruffini's scheme in regard to the protection of scientific property, and in consideration of the resolution on this subject adopted by the Council, decides to forward this scheme to all the Governments, requesting them to communicate to the Secretariat of the League of Nations any observations they may wish to make, in order to enable the Committee on Intellectual Co-operation to draw up, if the necessity arises, a final draft convention to be placed on the agenda of the fifth Assembly and submitted subsequently to all the States for signature and ratification.

(The sixth resolution was adopted by 18 votes to nil.)

The President :

Translation : If there is no opposition, I shall consider the seventh and eight resolutions, which have not given rise to a debate, as adopted.

These resolutions are as follows :

VII. The Assembly, noting with satisfaction that the Committee has considered international problems relative to art and artists, authorises the Committee to establish relations with the municipality of Capri, which has offered to place the Charterhouse at Capri at the disposal of the artists of the various countries, in order to ascertain, after enquiry, whether the Council should be asked to accept this offer.

VIII. The Assembly urges the Governments of the States Members to arrange that the children and youth in their respective countries, where such teaching is not given, be made aware of the existence and aims of the League of Nations and the terms of its Covenant.

(The seventh and eighth resolutions were unanimously adopted.)

The President :

Translation : I now ask the opinion of the Assembly on the resolutions proposed by the Fifth Committee taken as a whole.

(The resolutions as a whole were adopted.)

The President :

Translation : M. Adatci, delegate of Japan, will address the Assembly.

M. Adatci (Japan) :

Translation : Mr. President, ladies and gentlemen—This is the third time that the members of the Japanese delegation, who have constantly before their eyes the tragic picture of their far-distant country, find themselves called before the fourth Assembly of the League to reply to the expression of deep sympathy conveyed by the countries represented here.

The first time was at the opening of the Assembly when the esteemed first delegate of Australia proposed a resolution expressing the general condolence of the Assembly with my sorely-tryed country.

The second time was on September 10th, when my friend, M. Pusta, brought forward a proposal, which

was approved by the Assembly, that the Assembly should adjourn as a further mark of deep sympathy with Japan in her time of mourning.

And now again to-day the fourth Assembly has unanimously adopted the fifth resolution put forward by the Rapporteur of the Fifth Committee. This resolution, which is expressed in particularly moving terms, is as follows :

"The Assembly, grieving at the calamity which has stricken the universities and libraries of Japan, invites the Committee on Intellectual Co-operation to study means of affording international assistance to facilitate the reconstitution of the library and scientific collections which have been destroyed in Japan."

My friend, M. Bardoux, in supporting this resolution, spoke in the following terms :

"The Fifth Committee, deeply moved by the disaster which has befallen one of the centres of Asiatic culture, the cradle of a graceful and profound art, and, at the same time, filled with admiration for the silent and stoical, the wise and noble fortitude of which the Japanese delegation has given us so worthy an example, requests the Assembly, in its fifth resolution, to instruct the Committee on Intellectual Co-operation to consider the means of facilitating the restoration of literary and scientific collections of which the Empire of the Rising Sun has now to deplore the loss."

Although we do not feel ourselves worthy of these appreciative words, we are deeply moved by the unanimous adoption of this resolution by the Assembly.

When, on the 17th of this month, on a motion by the delegation of Persia, a country for which all Japanese have feelings of great sympathy and profound respect, the Fifth Committee adopted this draft resolution, we immediately telegraphed its substance to our Government, which is at present in great distress.

The Japanese Government, after announcing the resolution to the Japanese people, telegraphed instructions to us to convey officially on its behalf its sincere thanks to the Assembly of the League. The message declares that, as the result of its studies, the Committee on Intellectual Co-operation will assuredly be able, not only in a large measure to fill the terrible gap suddenly created in the ranks of science in Japan, but also to contribute in a marked degree towards the gradual and harmonious fusion of the two great types of civilisation, the Western and the Eastern. In the opinion of my Government, the work to be carried out by the Committee on Intellectual Co-operation is in all respects consistent with the spirit of the Covenant, the preamble of which expressly designs the promotion of international co-operation as one of the two main objects of the League.

In these circumstances, my Government and the whole Japanese nation express a fervent wish that, in accordance with the spirit of the resolution, the Committee on Intellectual Co-operation may without delay commence a serious investigation of this important problem, and that the plan which the Committee may draw up will be rapidly and fully realised.

On behalf of the Japanese delegation, on behalf of the whole Japanese nation which, in this time of sore distress, has derived comfort and consolation from these many radiant manifestations of deep and genuine sympathy, I thank you once more from the bottom of my heart; and yet again, I thank you. (*Loud and prolonged applause.*)

70.—EQUIVALENT RECOGNITION OF CERTAIN SECONDARY EDUCATIONAL DIPLOMAS: CREATION OF AN INTERNATIONAL UNIVERSITY: INSTITUTION OF A HIGHER EDUCATIONAL DEGREE VALID FOR ALL STATES MEMBERS OF LEAGUE: REPORT OF FIFTH COMMITTEE: RESOLUTION.

The President :

Translation : The next item on the Agenda is the report submitted by the Fifth Committee on the validity in all States, on a basis of reciprocity, of certain university diplomas. (Annex 20 ; A. 96, 1923.)

I call upon M. de Palacios, Rapporteur of the Fifth Committee, to take his place upon the platform.

(*M. de Palacios took his place upon the platform.*)

M. de Palacios (Spain), Rapporteur :

Translation : Mr. President, ladies and gentlemen—I will refrain from reading my report, although it is very short. I must, however, draw attention to an error which has found its way into the text.

On page 2 the second section of paragraph 2 reads as follows : "When the proper times comes to examine the scheme in all its details..." It should read : "If the occasion had arisen to examine the scheme in all its details, it would have been necessary to consider..." This slight correction is of some importance, as it changes the meaning of the paragraph.

Having made this preliminary remark, I will confine myself to recommending the adoption of the report, which expresses the unanimous opinion of the Fifth Committee.

The proposals of the Spanish Government (which are inspired by the principles of the Covenant) regarding the development of intellectual co-operation, are of very considerable importance. The Spanish Government has refrained from presenting them in detail. The question at issue is one of principle, and the Fifth Committee suggests that, without pronouncing beforehand on the substance of these proposals, you should request the Council to refer them to the Committee on Intellectual Co-operation for consideration, in order that this Committee may draw up a report on the subject to be submitted to the fifth Assembly.

I trust that the fourth Assembly will accept this resolution.

The President :

Translation : Does anyone wish to speak? If not, the discussion is closed.

The resolution is as follows :

The Assembly,

Having noted the Spanish Government's proposals concerning the equivalent recognition in all States of certain secondary educational diplomas, the creation of an International University, and the foundation of a higher educational establishment in each of the countries Members of the League of Nations, whose diplomas shall be valid in all countries Members of the League ;

Having duly appreciated the importance of these proposals and without prejudice to the main issue involved :

Decides to request the Council to refer these proposals to the Committee on Intellectual Co-operation for consideration, in order that the Committee may draw up a report on the subject to be submitted to the fifth Assembly.

(The resolution was unanimously adopted.)

71.—PROTECTION OF WOMEN AND CHILDREN IN THE NEAR EAST: REPORT OF FIFTH COMMITTEE: RESOLUTIONS.

The President :

Translation : The next item on the Agenda is the examination of the report to the League on the Protection of Women and Children in the Near East. (Annex 21 ; A. 103, 1923. IV.)

I call upon Mlle. Forchhammer, Rapporteur of the Fifth Committee, to be good enough to take her place on the platform.

(Mlle. Forchhammer took her place on the platform.)

The President :

Translation : Mlle. Forchhammer, delegate of Denmark, will address the Assembly.

Mlle. Forchhammer (Denmark) : Mr. President, ladies and gentlemen—As the report has been printed and distributed both in English and French, I shall not read it, but I should just like, in a few words, to give you the general outlines of the work which is being done by the League of Nations.

In 1920 the first Assembly decided to set up a Committee of Enquiry into the position of women and children in the Near East. The next Assembly decided to give the Committee power to reclaim such women and children and to set up houses of reception both in Constantinople and in Aleppo. The third Assembly reaffirmed this power and asked the Governments in whose territories the Committee was carrying out its work, to try to help it and to facilitate its work in all respects.

This work has been done with great devotion and energy by those members of the Committee appointed by the League. They are three in number : Dr. Kennedy and Mlle. Cushman, who are at Constantinople, and Mlle. Jeppe, who is in Aleppo. The work has been carried out with great difficulty, and I should like to point out a few of its characteristics.

As regards the work at Constantinople, I will mention one thing which is really a hopeful sign for the future, namely, that the Turkish women in Constantinople have begun to take an interest in the work of the Home where these women and children are, and are helping the Committee in its work in various ways.

I should like also to mention the special difficulties connected with the branch of the work at Aleppo. These difficulties are very, very great. The women and children who come to that Home sometimes make journeys lasting many days. They brave difficulties and even dangers in order to come ; and when they do come and when they find a helping-hand, they are immensely grateful to the League, which helps them and gives them a start in a new life.

On behalf of the Fifth Committee I shall read the resolutions which were passed unanimously by that Committee :

1. The Assembly approves the reports of Dr. Kennedy and Mlle. Karen Jeppe. It expresses its appreciation of the work accomplished and recommends that the League shall continue the work for the protection of women and children in the Near East.

2. It recommends that the same appropriation for the work of the Commission which was made in 1923 should be made for 1924.

To the last recommendation there is a footnote :

The Fifth Committee, wishing to adhere to its original proposal, but noting that the Fourth Committee, in view of the general budgetary situation, has thought it impossible to grant the estimates required, and has thought it necessary to reduce them, feels that the Assembly alone can decide between the need of the work and the necessity for economy.

You sometimes hear it said that the League ought not to undertake humanitarian work but I do not agree ; I can assure you, from my experience in speaking to people about the work of the League, that humanitarian work, such as the protection of women and children in the Near East, the repatriation of prisoners of war, the fight against typhus, the work for the refugees, appeals to the imagination of the man in the street. It appeals to the imagination of the woman in the street just as much, and it helps to make ordinary people realise that the League is a living reality, and is a force with which they must reckon ; it helps, moreover, to rally behind the League that support of public opinion without which the League cannot live. *(Applause.)*

The President :

Translation : M. Adatci, delegate of Japan, will address the Assembly.

M. Adatci (Japan) :

Translation : As Chairman of the Finance Committee of the Assembly, I think it right to call your attention to the fact that, at a meeting held the day before yesterday, that Committee voted a credit of 75,000 frs. for the work of the protection of women and children in the Near East.

I note, however, that the second proposal of the Fifth Committee runs as follows :

"It recommends that the same appropriation for the work of the Commission which was made in 1923 should be made for 1924."

Were this proposal to be voted, it would involve the allocation of a sum amounting to 135,000 frs. In any case the Assembly is not, I consider, entitled to take a decision before hearing the report on the budget, which will be laid before it to-morrow or the day after to-morrow.

The President :

Translation : If no one wishes to speak, the discussion is closed.

As M. Adatci has observed, it would be contrary to the rules to give a decision on the second paragraph of the Fifth Committee's resolution before the discussion of the report on the budget. We will therefore postpone voting on the second resolution.

I ask the Assembly to vote on the first resolution of the Fifth Committee, which is as follows :

The Assembly approves the reports of Dr. Kennedy and Mlle. Karen Jeppe (Document A. 69, 1923). It expresses its appreciation of the work

accomplished and recommends that the League shall continue the work for the protection of women and children in the Near East.

(The resolution was unanimously adopted.)

72. — ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL: REPORT OF FIRST COMMITTEE: RESOLUTIONS.

The President :

Translation : The next item on the Agenda is the report of the First Committee with regard to the rules for the election of the non-permanent Members of the Council. (Annex 22 ; A. 99, 1923.)

I call upon M. Motta, Chairman of the First Committee and M. Politis, Rapporteur, to take their places on the platform.

(M. Motta and M. Politis took their places on the platform.)

The President :

Translation : The Rapporteur will address the Assembly.

M. Politis (Greece), Rapporteur :

Translation : Mr. President, ladies and gentlemen—The First Committee was entrusted with a very delicate and somewhat indefinite task. It was called upon to study the rules for the election of the non-permanent Members of the Council.

I call our task somewhat indefinite, as the examination was begun some time ago, and considerable progress was made last year, so that at first sight it was not obvious what remained to be done.

The question is an extremely complicated one and, without going into details, it would, I think, be of interest to the Assembly if I briefly recapitulate its history.

The question arose in the first year of the League, owing to the terms of Article 4 of the Covenant, which, as you know, leaves the Assembly complete discretion both as to choice and as to the intervals at which the elections should take place.

The first Assembly saw fit to decide that the four temporary appointments fixed by the Covenant should expire in 1920, and that the new appointments which it was about to make should last only for one year ; then, after recommending that it should take into consideration the main geographical divisions, the Assembly proceeded to re-elect three out of the four retiring Members, together with one new Member.

In the following year the second Assembly was faced with the question of determining whether Article 4 of the Covenant should be modified or supplemented so as to enable the Assembly to adopt certain fundamental rules for this question, namely, rules for the election of the non-permanent Members of the Council.

After a long debate the Assembly, though unwilling to determine whether an amendment to Article 4 was essential or not, decided that it would be wise and prudent to vote an amendment, and it adopted a resolution so worded that the Assembly can, by a two-thirds majority, lay down the rules for election, more especially with regard to the duration of appointments and the conditions for re-election.

At the same time, while recommending that it should re-elect the four non-permanent Members of the Council at that date, the Assembly proclaimed its intention of using in future a system whereby Members would be elected in rotation for a fixed period, and of taking into consideration at the elections in the following year the duration of appointments of previously-elected Members.

Finally, the last Assembly, in 1922, adopted three resolutions, which are unequal in value.

First, it adopted rules of procedure which ensured that the ballot should be secret, laying down that the election should be conducted by voting a list of names and fixing the majority required at each ballot in turn.

Further, it decided to amplify the recommendation made by the first Assembly with regard to the main geographical divisions, and agreed that the choice should be made with due consideration of the great ethnical groups, the different religious traditions, the various types of civilisation and the chief sources of wealth.

The second resolution was of great importance. Last year's Assembly recommended to this year's Assembly the adoption of certain rules for the election, pending the coming into force of the amendment voted in 1921. These rules are as follows :

1. Appointments are limited in duration to three years.
2. Retiring Members are not eligible for re-election until the expiration of a period of three years.
3. One-third of the non-permanent part of the Council shall be renewed each year.
4. In order to determine the order of retirement as between newly-elected Members, lots shall be drawn for the vacant seat or seats.

As the four Members sitting on the Council at that date were re-elected, the application of the last rule for 1923 would entail the drawing of lots to determine which two Members of the four should continue to sit on the Council for another year.

This, then, was the situation with which the First Committee had to deal.

The Committee arrived without difficulty at two conclusions. First, the rules of procedure voted last year are of a permanent character, that is to say, they remain in force in all respects until the Assembly has decided otherwise. The Committee considered that these rules, which hold good pending further arrangements, should, in order to facilitate our procedure be inserted between Rules 22 and 23 in the Rules of Procedure of the Assembly.

The second paragraph of the resolution, before you therefore, reads as follows :

"The Assembly resolves to insert in its rules of procedure between Rules 22 and 23 a text giving effect to the rules of procedure for the election of the non-permanent Members of the Council laid down by Resolution No. 1 of September 29th, 1922."

No difficulty can be caused by this first question, which is purely a matter of form.

Further, the Committee came to the conclusion that the recommendation voted last year which tended to widen the scope of that adopted by the first Assembly was also of a permanent character and, although not expressly reaffirmed, still remained in force. As, however, certain countries have expressed a desire to have the recommendation renewed, the Committee has decided to make

a proposal to this effect. This is the object of the third paragraph of the proposed resolution.

We next come to the most difficult question of all, that of determining what action should be taken in pursuance of the recommendations of the 1922 Assembly.

The Committee came to the conclusion that it could not—although last year's Assembly had expected it to do so—ask you to adopt the rules formulated in 1922.

The Sub-Committee appointed by the Committee to examine the question realised that there were important juridical objections, arising out of Article 4 of the Covenant. It considered that, even if these juridical difficulties were overcome, a constitutional question still remained, namely, that even if it suggested that the Assembly should adopt the rules, the proposal could only be adopted by a unanimous vote. The Sub-Committee, and the Committee too, felt sure that unanimity could hardly be expected.

What course were we to take in these circumstances? It could hardly be concluded that last year's recommendations were originally, and still remained, null and void. The Sub-Committee was of opinion that they still remained to a certain extent in force, at any rate as regards the future, and it proposed that the Committee should be content with a decision to refer to the fifth Assembly the recommendations made by the third Assembly to the fourth.

The Committee thought that this would have amounted to asking you in veiled terms to make nothing less than an avowal of impotence. It would have meant asking you to perpetuate to no purpose a sterile and illusory discussion, for it is obvious that, if we were content to refer to the fifth Assembly the recommendations of the third, our successors would be faced with the same difficulties and the same insuperable obstacles, and would be under the same necessity of re-referring the question to the following Assembly. This perpetual reference of the question from one year to another, like the rolling-stone of Sisyphus (as the Rapporteur of the Sub-Committee wittily termed it before the Committee) would have offered a spectacle which could at best hardly be described as creditable to the League.

The Committee considered that it must endeavour to find a way out of this deadlock. It unanimously recognised that the whole difficulty centres round the fact that the amendment voted in 1921 has not yet received sufficient ratifications to bring it into force. It has already been ratified by the majority of the Members of the League and by most of the States represented on the Council; only a few ratifications, by States on the Council, are necessary to make up the number of ratifications required to bring the amendment into force.

The Committee was also unanimous in considering that the spirit of the Covenant bound all Members of the League, provided they had no radical objection to a reform desired by a majority of the Members of the League, to make such reform effective as soon as possible. The Committee therefore concluded that the Assembly need only make an immediate appeal to the goodwill of such States as have not yet ratified, in order to ensure that next year the amendment of Article 4 would enter into force and the reform on these lines be carried into effect by our successors.

This is the object of the fourth paragraph of the draft resolution before you, which reads as follows:

"Guided by the spirit of the Covenant, the Assembly urgently recommends the Members of the League, and especially the Members of the Council, to ratify the amendment to Article 4 of the Covenant which was adopted by the second

Assembly, and expresses the confident hope that this amendment will come into force before the meeting of the fifth Assembly."

If, as we all hope and wish, this amendment comes into force before the next Assembly, that body will be in a position to carry out the reform, and will certainly take into consideration the rules laid down last year which we recommended to the present Assembly.

This is the object of the first paragraph of the draft resolution, which reads as follows:

"The First Committee, having considered the questions relating to the election of the non-permanent Members of the Council which have been submitted to it by the General Committee of the Assembly, proposes to the Assembly the adoption of the following resolution:

"The Assembly repeats the recommendation contained in Resolution No. II of September 29th, 1922, and refers it to the fifth Assembly."

You will note that the question is not simply postponed indefinitely; the validity of the recommendation which we received is confirmed, and in these circumstances the 1923 Assembly forwards the recommendation to the 1924 Assembly in the well-assured hope that it will be realised.

These are all the comments I have to make on the resolutions which I have the honour to lay before you on behalf of the First Committee; but, in order to complete my report, I feel I must give you some information as to the debates of the First Committee on the subject.

The draft resolution (particularly Articles 1-4) looks to the future. Can we then draw no conclusions from our work which affect the present? Are the rules recommended for our adoption last year—which are not legally binding and which, as we recognise, cannot be constitutionally adopted this year owing to lack of unanimity—entirely valueless? It would, I think be difficult to say that they are valueless.

Theoretically, the Assembly can undoubtedly disregard them; by the terms of Article 4 of the Covenant it is absolutely sovereign over elections and can hold them exactly as it pleases.

But in my opinion—and I am certainly expressing the view of the great majority of the First Committee—it would be somewhat inconsistent to disregard entirely rules which the Assembly last year recognised as useful, and the utility of which you are confirming this year by the very fact that you are recommending them for adoption by your successors. These rules must at least have some moral value.

In last year's plan it was understood that the non-permanent Members of the Council to be elected would sit for three years.

If this rule as to the duration of the appointments conferred last year were a matter of law, and, in consequence, binding, it would obviate the necessity for a re-election this year and next year. But this rule has only a moral value; it signifies nothing more than that the Assembly is undoubtedly free not to re-elect the Members elected in the previous year, but such re-election would be in accordance with the spirit of the previous year's election.

One member of the Committee—the delegate of the Netherlands—suggested that the Assembly should adopt a resolution by which it would at once apply to the coming elections the rules laid down in 1922.

The majority of the First Committee approved of this proposal, but it has not been submitted to you because it appears that, to be valid, it had to be passed unanimously by the Committee. As this unanimity was not obtained, the rules before us possess only a moral value; juridically speaking,

therefore, we retain our entire liberty, and each of us must decide for himself whether and to what extent he considers that the rules laid down last year should be taken into consideration.

Undefined liberties are often highly inconvenient, and are sometimes in conflict with the general interest. They are still more frequently a source of infinite vexation and great practical difficulty to those exercising them. History teaches us that some absolute monarchs have gone so far as to grant constitutions of their own accord, for their own peace of mind, and that in practice these constitutions have proved to be for the public good. We might profit by this example—indeed I think it would be to our interest to do so.

We can, and, I think, should, give every support to the definition of this liberty which is conferred upon us by Article 4, and which is at present unlimited. We should see that our successors are free from the perplexities in which, after four years of work, we are still involved.

Meanwhile I think we should realise the vast importance of the election of the non-permanent Members of the Council. They form part of the constitution of an organ of the League, the duties and activities of which are vital to the peace of the world.

We cannot over-estimate the importance of our annual elections. The authority, the credit, the capacity of the Council depend upon them. In conclusion, I will say that we should all do our best, steadfastly guided by the thought that the duty of each is to aim at increasing the credit and prestige of the League, of which we are at once members and loyal servants. (*Loud applause.*)

The President :

Translation : Jonkheer Loudon, delegate of the Netherlands, will address the Assembly.

Jonkheer Loudon (Netherlands) :

Translation : Mr. President, ladies and gentlemen—I have only a few words to say.

I feel that we are all extremely disappointed to find ourselves in exactly the same position as last year.

When, in 1922, Lord Balfour proposed that the rules he recommended should not be applied before this year, he expressly gave as his reason for so doing that the necessary number of ratifications of Article 4 of the Covenant had not yet been obtained.

In order to avoid a repetition of this unfortunate situation in 1923, he added to his proposal the following sentence :

“The Assembly declares that it is of the highest importance that the amendments to the Covenant already passed should be ratified by the Governments of the States Members of the League, and it requests the Council to take all proper measures to secure this result.”

Although the necessary number of ratifications has already been considerably exceeded, there is one lacking which, as you know, is indispensable under the terms of Article 26 of the Covenant.

In these circumstances our delegation proposed, as M. Politis reminded you just now, that the First Committee should submit a draft resolution to the Assembly to the effect that at the coming election the rules of procedure applied should be those laid down in the resolution of September 29th, 1922. A large majority was in favour of this proposal, 18 voting for, and 5 against, while 7 abstained. The Chairman of the Committee was of opinion that the proposal was not adopted, as unanimity had not been obtained.

M. Motta will I am sure, not take it amiss if I venture to say, with all respect, that, in my opinion,

his interpretation of the rules of procedure is not in accordance with the universal practice for voting in the Committees. I will not press this point, however. As a matter of fact, a large majority voted in favour of the application of these rules at the next elections.

I do not wish to revert to this proposal at this late stage in the session, but I feel bound to repeat how bitterly disappointed we all are. The prestige of the League is at stake.

The Netherlands delegation cannot acquiesce in this deplorable situation. I acknowledge the conciliatory spirit in which M. Politis has voiced the feelings of the Committee in proposing this resolution, but I have very great hesitation in supporting it. The only course before me, therefore, is to abstain from voting on this resolution. (*Applause.*)

The President :

Translation : The Chairman of the First Committee will address the Assembly.

M. Motta (Switzerland) :

Translation : Mr. President, ladies and gentlemen—I had no intention of taking part in this debate. As Chairman of the First Committee, I can endorse every phrase, every word, every thought pronounced or expressed by M. Politis, the eloquent Rapporteur of the First Committee. I should not have asked to speak, had not the esteemed head of the Netherlands delegation raised a question on which I should like to offer a few brief remarks.

In his speech, M. Politis told you that the Netherlands delegation had submitted a proposal to the effect that the recommendation adopted by the third Assembly last year regarding the election of the non-permanent Members of the Council should be applied to this year's election.

You have also been told that this proposal was accepted by the Committee by a clear majority. If I remember aright, there were 18 votes for the motion and five against, while a few delegations abstained.

The head of the Netherlands delegation is of opinion that the interpretation of the rules given by the Chairman of the First Committee was perhaps in some respects open to question. It is not my intention to revive before the Assembly this intricate controversy, which was conducted with great subtlety and acumen. I venture, however, to point out that the text of the rules settles the question in a way which leaves no room for doubt.

Rule 19 lays down that, except where otherwise expressly provided in the Covenant by the terms of a Treaty, the decisions of the Assembly shall be taken by a unanimous vote of the Members of the League represented at the meeting. The object of this provision is to establish, in a manner which leaves no room for ambiguity or variation, the principle that our proceedings must be unanimous.

Rule 27 lays down that : “The Rules of Procedure shall apply also to the proceedings of Committees of the Assembly”.

It follows that the rules which are applied here are, according to the letter of the law, applicable to the proceedings of the Committees.

I must, however, candidly admit that Rule 27 has never been applied strictly in the Committees : in the Committee of which I have the honour to be Chairman cases have occurred when owing to special circumstances we have decided to forward to the Assembly resolutions which had not been adopted unanimously by the Committee.

Were we in this instance to carry out the rules to the letter? Anyone who has examined the position, even cursorily, must certainly have realised that the only method of solving the difficulty

and of avoiding a situation from which there would be no issue was a strict and vigorous application of the rules. The reasons are as follows :

The representative of the Netherlands, who had submitted a proposal in the sense which I have indicated, quite rightly stated that his proposal would be meaningless and could not take effect unless it were adopted unanimously.

Had the amendment to Article 4 been ratified we could have confirmed the rules relating to the appointment of the non-permanent Members of the Council by applying the principle of a two-thirds majority. As the amendment is not in force, a unanimous decision of the Assembly is the only alternative. Since the amendment is not yet applicable, a decision to apply the rules for the appointment of the non-permanent Members of the Council can only be legally valid if all delegations to the Assembly will show their good will by taking a unanimous decision.

The Committee was, however, aware that unanimity could not be obtained. I recollect having stated that the proposal of the Netherlands delegation must be tried as by fire in the meetings of the Committee. This was the only method of ascertaining whether it would be possible to submit the proposal to the Assembly with a reasonable chance of its being unanimously adopted.

The outcome was that the proposal was rejected, five delegations voting against it. In these circumstances there was no prospect of the result being in any way different in the Assembly.

Was any advantage, to be derived, therefore, from inviting you to give a decision on a resolution which had only been adopted by a majority of the Committee and on which it had been impossible to obtain unanimity? The Chairman of the Committee thought this course inexpedient, since it would only have resulted in the question being referred back for examination to the First Committee. I believe that all his colleagues concurred in his view.

It was useful, necessary, and desirable that the weighty and delicate question of the rules for the election of the non-permanent Members of the Council should be discussed and solved by us several meetings before the actual date of the election, in order that business of such importance should not be conducted in feverish haste at the eleventh hour.

I still think that we were right in our decision. As M. Politis has said, and as I desire to repeat on my own behalf, the recommendation which we are submitting to you, and which was unanimously adopted, has more than legal force. It has moral force. I would urge each of the delegations to remember this when filling in the nomination papers for the election of the non-permanent Members of the Council. (Applause.)

The President :

Translation : Does anyone wish to speak? If not, the discussion is closed.

The resolutions are as follows :

I. The Assembly repeats the recommendation contained in Resolution No. II of September 29th, 1922, and refers it to the fifth Assembly.

II. The Assembly resolves to insert in its Rules of Procedure between Rules 22 and 23 a text giving effect to the rules of procedure for the election of the non-permanent Members of the Council laid down by Resolution No. I of September 29th, 1922.

III. The Assembly reiterates the following recommendation :

"It is desirable that the Assembly, in electing the six non-permanent Members of the Council, should

make its choice with due consideration for the main geographical divisions of the world, the great ethnical groups, the different religious traditions, the various types of civilisation and the chief sources of wealth."

IV. Guided by the spirit of the Covenant, the Assembly urgently recommends the Members of the League, and especially the Members of the Council, to ratify the amendment to Article 4 of the Covenant which was adopted by the second Assembly, and expresses the confident hope that this amendment will come into force before the meeting of the fifth Assembly.

(The resolutions were unanimously adopted.)

73.—POLISH-LITHUANIAN DISPUTE: REPORT OF SIXTH COMMITTEE ON THE REQUEST MADE BY THE LITHUANIAN GOVERNMENT AS A RESULT OF THE COUNCIL'S ACTION IN CONNECTION WITH THE POLISH-LITHUANIAN DISPUTE: RESOLUTION.

The President :

Translation : The next item on the Agenda is the discussion on the report of the Sixth Committee in regard to the question placed on the Agenda of the fourth Assembly at the request of the Lithuanian Government. (Annex 23 ; A. 104, 1923.)

I call upon Count Bonin-Longare, Rapporteur of the Sixth Committee, to take his place on the platform.

(Count Bonin-Longare took his place on the platform.)

The President :

Translation : The Rapporteur will address the Assembly.

Count Bonin-Longare (Italy), Rapporteur :

Translation : Mr. President, ladies and gentlemen—As soon as the Sixth Committee had before it the question submitted by the Lithuanian Government, it considered whether there was not a preliminary question of a legal character which first required settlement; in other words, whether it was legally possible to bring this discussion before the Assembly. It therefore referred the matter to the First Committee, which, in a letter annexed to the report before you, replied that this possibility was not excluded.

The Sixth Committee thus found itself in a position to proceed with the examination of the question itself. For this purpose it appointed a Sub-Committee which at once took steps to get into touch with the representative of Lithuania and to secure his attendance at the first meeting, in order that he might express his opinion, give such information as he considered relevant, and set forth his point of view.

After the exchange of views which took place at that meeting, the representative of Lithuania addressed a letter to the Chairman of the Sixth Committee, which is also annexed to the report of the Committee, in which he expressed his wish that the Sixth Committee should propose to the Assembly that the further examination of the question placed on the Agenda of the fourth Assembly should be referred to the next Assembly.

On behalf, therefore, of the Sixth Committee, and in accordance with the wish expressed by the representative of the Lithuanian Government, I have the honour to propose to the Assembly that instructions should be given to refer to the fifth Assembly the question placed on the Agenda of the present session at the request of the Lithuanian Government.

The President :

Translation : Does anyone wish to speak? The discussion is closed.

The resolution is as follows :

The Assembly decides, according to the desire expressed by the Lithuanian delegation, to refer to the fifth Assembly the question placed on the agenda of the present session at the request of the Lithuanian Government, namely :

Reference of certain questions to the Permanent Court of International Justice for an advisory opinion.

(The resolution was unanimously adopted.)

74.—INTERNATIONAL FEDERATION FOR MUTUAL ASSISTANCE IN THE RELIEF OF PEOPLES OVERTAKEN BY DISASTER : REPORT OF FIFTH COMMITTEE : RESOLUTION.

The President :

Translation : In accordance with the Agenda, we will now consider the conclusions embodied in the report of the Fifth Committee on the scheme for an international federation for mutual assistance in the relief of peoples overtaken by disaster (Annex 24 ; A. 106, 1923.)

I call upon M. Reynald, Rapporteur of the Fifth Committee, to take his place on the platform.

(M. Reynald took his place on the platform.)

The President :

Translation : M. Reynald, Rapporteur, will address the Assembly.

M. Reynald (France), Rapporteur :

Translation : The report which I have the honour to submit to the Assembly deals with a proposal made by Senator Giovanni Ciruolo. The subject of this proposal is the organisation of an international federation for the relief of peoples in case of disaster. Your Fifth Committee has entrusted me with the agreeable duty of praising both the proposal and its author, and also of telling you that it has found many interesting observations in the report of the Secretariat, as well as a variety of ingenious suggestions—in a word, all the indispensable elements of a complete scheme for an international statute on this subject.

Both the scheme and the author are worthy of praise. Senator Giovanni Ciruolo has conceived the generous idea of founding an organisation on an international basis for the immediate distribution of the relief necessary in order to alleviate the first effects of disasters overtaking a region or a people. The fact that Senator Giovanni Ciruolo is President of the Italian Red Cross is evidence that his whole

life is governed by a spirit of devotion. He laid the scheme, for which I am to-day acting as Rapporteur, first before the Genoa Conference, then before the League of Nations. It therefore gives me great personal satisfaction to perform the duty of expressing the gratitude of the Fifth Committee for an idea inspired by so lofty a sentiment of humanity, and at the same time of offering our thanks to Senator Ciruolo, who, after having conceived the scheme, brought to bear upon it all his energies and ability in order to transfer this ideal conception to the sphere of reality.

I have told you our high opinion of the report. I do not wish to open a discussion here, nor to enter upon this delicate and difficult matter. I think, and the Fifth Committee thinks with me, that we must support the Council's wise and prudent opinion, namely, that in the first place, and before any premature discussion, the Governments should be asked to take note of the scheme and of all the annexed documents and to make any comments and suggestions to which their examination may give rise. This, as you can see, is not a matter which needs to be considered at length. We have decided simply to ask you to adhere to the principle—and you could scarcely refuse to do so—and then to ask you to transmit the scheme to the Governments before taking any decision.

I am anxious to emphasise two points which I think it desirable to lay before the Assembly. The first is that the report seems to me to present a definite idea in a very correct light. This idea is that the League of Nations cannot be transformed into a universal welfare bureau. It cannot undertake the duty of remedying all misfortunes, of alleviating all disasters, of obtaining all reparations. The League cannot claim this duty nor assume the burden of it. It has no resources of its own ; it has only those obtained from the Governments which open credits in its favour, and it is to these Governments that it must leave the responsibility and the power of action in the matter. The League should act as an agent for liaison, co-ordination and information.

It is for the League to originate or to support generous actions, to create or to promote the creation of international organisations to secure such actions, and to guide such generous work in its early stages. The League must go no further—and this cannot be too strongly emphasised—for we should be only too frequently appealed to by peoples, by nations, to an extent which would exceed our power to respond ; and, I repeat once more, our rôle would thus be transformed to an extent which might perhaps injure the interests of the League itself.

The second observation is that we should like it to be clearly understood by the Assembly that in our request to you to transmit Senator Ciruolo's proposal to the Governments before any discussion, we are anxious that this transmission should not be considered as a deliberate act on the part of people desirous of ridding themselves of a scheme and of thereby transferring the responsibility of action to other hands by means of a commonplace act of transmission.

We think, on the contrary, that since it is for the Governments to speak in the first place, we may recommend this proposal to them in a friendly spirit, because, though we do not under-estimate the difficulties involved in carrying it out, we believe that the scheme can be realised upon one condition

It can be realised on condition that we do not seek to develop it too broadly, on condition that we content ourselves with a degree of realisation limited and adapted to possibilities.

When a great disaster takes place in the world, when, as we have recently and unhappily seen, a whole region is smitten, what is of primary importance?

The sums applied are of less importance than the possibility of their immediate distribution through the intermediary of an existing organisation.

We may say that, on the whole, the Governments will not be asked to do more than they themselves consider they ought to do. We desire to claim no greater sacrifices than those to which they can willingly consent; only we shall ask them to agree to them beforehand instead of giving assistance afterwards.

As we all know, the great law of human solidarity upon which we base our appeal is gaining fresh adherents every day. Nowadays, whenever a great disaster strikes the world, all peoples and all nations realise that they are one and are bound by certain obligations.

No longer do we live in the times when man suffered alone; the law of succour has gained recognition. But you will realise the great advantage if, in cases of disaster, sums of money were at our immediate disposal, and if a permanent organisation with a trained staff were available so as to avoid uncertainties, delays, overlapping and waste. That is the object of our scheme.

I am sure that an appeal to this Assembly on these grounds of humanity will not pass unheeded.

Last year, in the case of the Asia Minor victims, I well remember the applause which greeted the eloquent pleading of my colleague and friend, M. Agüero y Bethancourt. This year, when Japan has been so cruelly visited with misfortune, the whole Assembly with one voice expressed its sympathy and its desire to help.

It is to these sentiments that we again appeal. We believe that it is within our power to act, we hold that an international organisation is indispensable, or, at any rate, extremely useful for this end. We are sure that, if it were decided to collect funds—not necessarily very large, but sufficient to enable relief and necessary supplies to be provided—we should have established a highly useful organisation. It is for this, then, that we appeal to the Governments.

One word more. In the course of the statement made in the First Committee we learnt with pleasure that the International Red Cross and the national Red Cross Societies had been informed of the scheme and had interested themselves in it. This information was given us by our eminent colleague, M. Ador. When I mention the name of the distinguished Swiss delegate, whom we all love and venerate, I need not say that, in view of the great ability which he has always displayed in carrying out good works, the intervention of M. Ador in this scheme has contributed very largely towards its eventual realisation. (*Applause.*)

In brief, we propose to you to transmit this scheme to the Governments for favourable consideration, and it is in this sense that I appeal to the whole Assembly to accept the decisions of the Fifth Committee. (*Applause.*)

The President :

Translation : Does anyone wish to speak?

The debate is closed.

The resolution is as follows :

The Assembly,

Having noted with great interest the report prepared by the Secretary-General and the proposals

of the Council with reference to the scheme of Senator Circolo, President of the Italian Red Cross, whose lofty principles of human solidarity and international reciprocity it approves,

• Authorises the Council to instruct the Secretary-General :

1. *To communicate to the various Governments these two documents (Document A. 67, 1923) as well as any remarks thereon which may be made by the Red Cross Organisations, with the request that they communicate their observations on the subject to the Secretariat.*

2. *To keep the Council informed from time to time of the replies of the Governments with a view to the ultimate submission to the Assembly of any proposals which, on the basis of these replies, the Council may see fit to make.*

(The resolution was unanimously adopted.)

75.—RUSSIAN REFUGEES AND BULGARIAN INHABITANTS EXPELLED FROM WESTERN THRACE: REPORT OF FIFTH COMMITTEE ON WORK OF THE HIGH COMMISSION: RESOLUTION.

The President :

Translation : The next item on the Agenda is the discussion on the report of the Fifth Committee on the work of the High Commission for Refugees, and, in the first place, the report concerning Russian refugees and Bulgarian inhabitants expelled from Western Thrace. (Annex 25; A 107, 1923.)

I call upon M. Radeff, Rapporteur of the Fifth Committee, to take his place on the platform.

(M. Radeff took his place on the platform.)

The President :

Translation : The Rapporteur will address the Assembly.

M. Radeff (Bulgaria), Rapporteur :

Translation : Mr. President, ladies and gentlemen—The report of your Committee has been circulated, and in view of the lateness of the hour I will, with your permission, dispense with reading it.

I am anxious, however, to make a few brief observations and, in particular, I should like, on behalf of your Committee, to pay a tribute to the praiseworthy efforts of the High Commission in carrying out the great and difficult task entrusted to it by the League of Nations.

The Committee was unanimous in its praise of the energy, ability and tact displayed by Dr. Nansen and his colleagues. It was equally unanimous in its opinion that the work undertaken by the High Commission should be continued on the same lines, especially as regards relief and assistance, and further that a reduction in the services of the High Commission would result in very great hardship for countries with minorities, and might also lead to hardship among the Russian refugees themselves, who would thus be left without protection.

The Committee therefore adopted the resolution which, with your permission, I will read in a moment. I must first, however, point out that, after the adoption of this resolution by the Committee, a fresh factor arose; the Committee had expressed a

recommendation that a certain credit should be allocated to the High Commission, but the Fourth Committee did not see its way to agree to this recommendation. A situation was thus created in which the Fifth Committee was obliged to acquiesce.

We all hope, however, that one of the members in this Assembly will submit an amendment which might be passed during the discussion of the Fourth Committee's report. In communicating this hope to the Assembly I think I may omit any mention of that part of the resolution of the Fifth Committee which refers to credit, and I will therefore merely read the remainder of the resolution, which is in the following terms :

1. The Assembly.

Having heard the report of the High Commissioner of the League of Nations for Refugees on the work which he has accomplished during the past year :

Approves this report and expresses its entire satisfaction with the way in which the High Commissioner has discharged the duties entrusted to him and records its very high appreciation of the services which he has rendered to the refugees and to the League.

2. Whereas the work with which the High Commissioner was entrusted is not yet terminated, and where as it is essential, both in the interests of the refugees and of the Governments concerned, that his organisation should continue its activities :

The Assembly invites the High Commissioner to continue to apply the same methods of work as hitherto, especially in the matter of relief and assistance.

3. The Assembly.

Considering that the present situation of the Russian refugees, although sensibly improved, remains very precarious, and that the termination of the activities of the High Commission would materially destroy the progress already realised on behalf of the refugees ;

Invites the Council to request the Governments of the Members of the League to continue to afford to the High Commissioner the support and assistance which they have hitherto given him, especially as regards the development of the means of general and professional education and the securing of employment for the refugees.

The President :

Translation : Dr. Nansen, delegate of Norway, will address the Assembly.

Dr. Nansen (Norway) :—Mr. President, ladies and gentlemen—I do not wish to make a long speech on the present occasion. This is not the night on which the question of the appropriation which is to be made for the Refugee Organisation of the League for next year, must be decided. That question will arise on the budget to-morrow, and whatever decision is taken by the Assembly to-night will, I suppose, be no more than a recommendation as to the action which the Assembly should take on the budget when it comes up for debate.

Nor is it necessary, I believe, for me to add anything to the words spoken by the Rapporteur and other members of the Assembly concerning the work of the Refugee Organisation itself. I believe that the Assembly as a whole is in agreement that the work of that organisation is truly inter-

national character, that when it was decided to undertake it, the Council was animated by a true instinct as to the functions of the League, and that in all it has done, the High Commission has only carried into effect, if I may say so, in a difficult and important sphere, the principles of the Covenant.

It is no use shutting our eyes to the fact that there are, scattered all over Europe, vast numbers of refugees whose presence on the territory of various countries, creates for the Governments of those countries difficult social and political problems. These problems can only be adequately dealt with by true international action, and, without doubt, the only machinery for such international action is the League of Nations.

I believe that the action which has been taken and the action which is planned for next year, have done much, and may do much more, to help the Governments to solve these difficult problems satisfactorily.

I submit that if anyone would examine the reports, they would be amazed at the work which has been accomplished by my colleagues with a trifling appropriation. In no year has the High Commission cost the League more than 300,000 francs, or £12,000 sterling. By means of that money we have maintained offices in fifteen different countries, and have carried through great and difficult international operations.

I suggest to the Assembly that these results have only been possible because so many of our helpers have given a great deal of their time—some of them the whole of their time—for absolutely no remuneration. Some of them in doing so have made great sacrifices, because none of them is receiving more than a very low salary for high-class and strenuous work.

In short, the whole organisation from top to bottom has been animated by the spirit of the League, and its members have worked with enthusiasm and devotion to carry out the duties with which they have been charged.

Mr. President, I will only add that when the matter comes up for decision to-morrow, I believe the Assembly will have to make up its mind whether it wishes that work, which so many members of the Assembly have approved as desirable, to be carried on for another year, or whether they wish, in spite of the clear desire of the interested governments and in spite of the wishes and interests of the refugees themselves, to bring it to what I believe would be an untimely conclusion. (*Loud applause.*)

The President :

Translation : M. Ador will address the Assembly.

M. Ador (Switzerland) :

Translation : I wish to express publicly, as I have done in the Fifth Committee, my whole-hearted admiration for the way in which the High Commissioner has accomplished the extremely important work with which he was entrusted by the League of Nations.

We have been able to follow this work very closely and we have seen with what energy, courage, perseverance and will-power—enlisted to carry out an exceedingly thankless task, to which he has devoted all his efforts, all his activity and all his talent—he has come to the aid of the unfortunate refugees who were in Greece.

Consequently, it is the duty of those who have been called upon to collaborate more or less closely with Dr. Nansen to affirm here, as I have done in the Fifth Committee, how important were the services which he rendered last year.

Personally, I have learned with the greatest pleasure of the method of work which has now been adopted by Dr. Nansen. It does not consist in repatriating persons at all costs; those returning to Russia must give their consent, must be willing to avail themselves of the agreements concluded by Dr. Nansen with the Soviet Government. They can then return under conditions which are perfectly acceptable to them.

But it must be realised, and the High Commissioner quite admits, that in the present political and economic state of Russia it is not possible to contemplate adopting the only remedy which suggests itself naturally to our mind when this question is referred to, namely, the repatriation of all the unfortunate people who are scattered about in different countries, and who constitute a serious burden for the countries in question.

That is not possible for the moment. But what is not only possible but also necessary and indispensable is that the work of assisting and giving relief to these unfortunate people should be continued.

I have just heard that the financial question has been postponed, and will be settled when the Fourth Committee has presented its report on the subject. I should like just to state that we wish none the less to reiterate the recommendation which was adopted unanimously by the Fifth Committee, to the effect that the credit placed at the disposal of Dr. Nansen should be increased. Nothing can be done with insufficient funds. The credit asked for is not large, and it is not in this quarter that we should think seriously of effecting economies. The work which has been undertaken must be continued and for this purpose the necessary financial means must be provided.

We reserve the right to reconsider the question when the Fourth Committee has presented its report, but I did not wish to let this sitting come to an end without declaring that the Fifth Committee unanimously hopes that the Assembly will grant the increased credits for which a request has been made. (*Loud applause.*)

The President :

Translation : M. Politis, delegate of Greece, will address the Assembly.

M. Politis (Greece) :

Translation : I have already told the Assembly of the very great admiration which I, personally, feel for Dr. Nansen's work. I shall, therefore, not enlarge upon that point.

I associate myself completely with what the distinguished Rapporteur of the Fifth Committee has said, and with the statement which M. Ador has just made. It would be a real misfortune for the League of Nations if the Fourth Committee did not provide Dr. Nansen with the means to continue his admirable work. (*Loud applause.*)

The President :

Translation : Does anyone wish to speak? The discussion is closed.

We will vote on the draft resolution before us, with the exception of paragraph 7, which refers to the requisite credit. The text is as follows :

1. The Assembly,

Having heard the report (Document A. 30, 1923) of the High Commissioner of the League of Nations for Refugees on the work which he has accomplished during the past year ;

Approves this report and expresses its entire satisfaction with the way in which the High Com-

missioner has discharged the duties entrusted to him and records its very high appreciation of the services which he has rendered to the refugees and to the League.

2. Whereas the work with which the High Commissioner was entrusted is not yet terminated, and whereas it is essential, both in the interests of the refugees and of the Governments concerned that his organisation should continue its activities ;

The Assembly invites the High Commissioner to continue to apply the same methods of work as hitherto, especially in the matter of relief and assistance.

3. The Assembly,

Considering that the present situation of the Russian refugees, although sensibly improved, remains very precarious, and that the termination of the activities of the High Commission would materially destroy the progress already realised on behalf of the refugees ;

Invites the Council to request the Governments of the Members of the League to continue to afford to the High Commissioner the support and assistance which they have hitherto given him, especially as regards the development of the means of general and professional education and the securing of employment for the refugees.

(This resolution was unanimously adopted ; Paragraph 7 of the draft resolution was reserved.)

76.—REFUGEES IN THE NEAR EAST: REPORT OF FIFTH COMMITTEE ON WORK OF THE HIGH COMMISSION; RESOLUTION.

The President :

Translation : We have now to examine the report of the Fifth Committee with regard to Refugees in the Near East. (Annex 26 ; A. 108, 1923.)

I call upon Dame Edith Lyttelton, Rapporteur of the Committee, to take her place on the platform.

(Dame Edith Lyttelton mounted the platform amidst the applause of the Assembly.)

Dame Edith Lyttelton (British Empire), Rapporteur.—I wish to express again the admiration of the Fifth Committee for Dr. Nansen's work and for the work of the High Commission.

Very briefly I will summarise the following facts : Immediately after the last Assembly Dr. Nansen went to Constantinople, Eastern Thrace and Athens to examine the situation. Already 900,000 refugees had arrived in Greece. The Greek Government had made every possible effort to distribute these refugees among the population. This was not difficult, for the refugees from Eastern Thrace were agriculturists. They were placed on vacant lands in Macedonia and Western Thrace. But all the refugees from Asia Minor and the urban population of Eastern Thrace could not be treated in this way. They had to be fed. The funds voted by the League were used and the American Red Cross did noble work. The misery of these people was indescribable ; they had no shelter—no huts or tents—and they had almost no blankets and winter clothing. With the help of various American and British organisations these people were fed and clothed.

Dr. Nansen's policy was to make the refugees

self-supporting as quickly as possible, and 100,000 acres of Greek territory were allocated for this purpose.

Without going into any detail let me just point out that the scheme for which money is asked will not provide temporary relief. No—it is a scheme for the permanent establishment of thousands of unhappy, homeless, poverty-stricken people. Dr. Nansen thinks that with a very small sum of money he could solve the problem, and he has every reason to think so, for he has proceeded by way of experiment.

He has founded some 19 settlements, he has successfully started agriculture, and has set on foot various industries such as charcoal-burning, lace and embroidery making, carpet manufacture, lime and wood industries. He has also planted many thousands of mulberry trees, and there is every reason to hope that a flourishing silk industry will soon be established. It seems tragic that an enterprise which has cost so much devotion, work and thought, and so little money, should be stopped for want of the very little more that is needed.

Statistics are hard things. It is easy to talk of so many thousand refugees costing so many thousand pounds and to harden one's heart. But translate the figures into terms of human life; imagine what the withdrawal of help will mean and the case looks different. If a man is drowning, one does not hold out a life-belt to him and then throw it away. Hope has been planted in the hearts of these people, they know that plans for their permanent settlement have been made. But the Greek Government will be unable to spend the money obtained from the loan which is referred to in the report except upon the establishment of a permanent colony. Meanwhile the people must be fed. It is no use making plans for a permanent settlement if the people are left to starve while the plans mature.

Could not the Finance Committee, which of course is as anxious to help as the rest of the Assembly, reconsider the matter and make it possible for Dr. Nansen to continue his great work? Many of us hope that when the budget is debated, more than half of what is asked may be granted. The sum is so small; the need, and if I may add, the hope — is so great.

I will now read the resolutions :

"The Assembly,

"Having noted with great interest the report (Document A. 30, 1923) of the High Commissioner for Refugees on the work which he has so successfully carried out on behalf of the refugees of Asia Minor, particularly with a view to putting into effect a scheme for their permanent settlement in Greece ;

"Desires to express to him its gratitude for the eminent services which he has rendered to the League and to the refugees ;

"Considers it desirable that he should continue to collaborate in the work undertaken on behalf of the refugees ; and

"Invites the High Commissioner to co-ordinate the work of the other organisations dealing with the refugees,

"Decides to place the necessary sums for this purpose at his disposal."

I must ask your permission to make a small amendment to the last paragraph ; after the words :

"Decides to place the necessary sums for this purpose at his disposal", had been passed by the Fifth Committee we learned that the Finance Committee had already decided on the figure it was going to grant. I ask your permission to add, so as to put the resolution completely in order, the words, "so far as it is possible to do so". I hope very much

that the Assembly will do its best in the budgetary debate to see whether more money cannot be granted. (*Applause.*)

The President :

Translation : M. Adatci, delegate of Japan, will address the Assembly.

M. Adatci (Japan) :

Translation : Mr. President, ladies and gentlemen—I am quite in agreement with the text of the resolution before you, but, as Chairman of the Finance Committee, I think it would be desirable for the Assembly to reserve its vote on the last sentence :

"Decides to place the necessary sums for this purpose at his disposal."

The report of the Finance Committee has been printed and will be distributed to all the members to-morrow morning. As a measure of prudence, therefore, I beg to request the Assembly to adjourn its vote on this paragraph (*Assent.*)

The President :

Translation : M. Radeff, delegate of Bulgaria, will address the Assembly.

M. Radeff (Bulgaria) :

Translation : Mr. President, ladies and gentlemen—I have the honour to support these proposals here, as I did in the Fifth Committee.

The problem of the refugees is one of those humanitarian questions in regard to which all people are imbued with the same spirit of solidarity, however they may differ in politics.

Apart from its humanitarian character, the problem of the refugees has a political aspect, inasmuch as, if not settled, it is liable to give rise to difficulties and even to considerable embarrassment, not only in the countries where the question directly arises, but also in neighbouring countries. It is therefore important to take all necessary steps to settle the question and to second the efforts of all persons who are engaged in this task.

During the discussions in the Fifth Committee I warmly supported the proposals now before you, and asked that the following should be inserted in the Minutes of the meeting : that in the settlement on Greek territory of refugees from Asia Minor, the rights and interests of the populations in the Hellenic Kingdom, which are to benefit in virtue of the clauses signed at Lausanne for the protection of minorities should be taken into account.

Not only did the delegate of Greece not oppose the insertion of these words in the Minutes, but he even declared that Greece, who has always fulfilled her international obligations, would likewise do her duty as regards engagements undertaken in the Treaty of Lausanne.

I was very pleased to note this declaration, calculated as it is to promote that complete agreement between our two neighbouring countries which is the earnest wish of us all. (*Applause.*)

The President :

Translation : Dr. Nansen, delegate of Norway, will address the Assembly.

Dr. Nansen (Norway).—At this late hour I do not like to take up the time of the Assembly for many minutes, but I think it is my duty to say a few words.

First of all I wish to thank the Rapporteur for his splendid speech and for the support which, in the name of the Fifth Committee, he has given to the work. I also wish, seeing that so much has been said about the splendid work in Greece that we should remember those people who have carried out the work, in particular, Colonel Procter, who has done admirably, especially in his great experiment for settling the people. That experiment is, I hope, to be the basis of the future work in Greece.

I would also point out the importance of the work which is now proposed. Probably all the members of the Assembly know that the Council is contemplating whether it will not be possible to help Greece to raise a comparatively large loan, particularly for constructive work in connection with the settlement of the refugees. This loan cannot be used for feeding the people and the Greek Government will therefore have to be responsible for this. Five million people will have to feed 1,000,000 as long as it is necessary, that is, until they can be self-supporting.

You will easily understand that under present circumstances such a burden will be too heavy for the Greek Government, and therefore it is very necessary that various philanthropic societies should assist, and I am happy to say that there are societies both in Great Britain and America which are willing to join in the work, which must be co-operative, and must be started by some organisation; and nobody can do it but the League of Nations.

It is essential if the work is to be carried out that the loan should be raised. I consider it most desirable that the League through the High Commission should be in a position to carry out this most important work of assisting Greece in her great trouble. (Applause.)

The President :

Translation : Baron Lehmann, delegate of Liberia, will address the Assembly.

Baron Lehmann (Liberia) :

Translation : I am in agreement with M. Adatci, Chairman of the Fourth Committee.

The President :

Translation : Does anyone else wish to speak? The discussion is closed.

We will now vote on the resolution proposed by the Fifth Committee, with the exception of the last paragraph, which M. Adatci has asked us to postpone. The text is as follows :

The Assembly.

Having noted with great interest the report (Document A. 30, 1923) of the High Commissioner for Refugees on the work which he has so successfully carried out on behalf of the refugees of Asia Minor, particularly with a view to putting into effect a scheme for their permanent settlement in Greece ;

Desires to express to him its gratitude for the eminent services which he has rendered to the League and to the refugees ;

Considers it desirable that he should continue to collaborate in the work undertaken on behalf of the refugees ; and

Invites the High Commissioner to co-ordinate the work of the other organisations dealing with the refugees.

(This resolution was unanimously adopted : The vote on the last paragraph of the draft resolution was postponed.)

The Assembly rose at 7.25 p.m.

SEVENTEENTH PLENARY MEETING
Friday, September 28th, 1923, at 10.30 a.m.

President : M. DE LA TORRIENTE Y PERAZA.

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77.—TRAVELLING FACILITIES FOR GROUPS OF STUDENTS, BOY SCOUTS AND GIRL GUIDES : REPORT OF THE FIFTH COMMITTEE : RESOLUTION.

The President :

Translation : The first item on the Agenda is the report of the Fifth Committee on travelling facilities for groups of Students, Boy Scouts and Girl Guides. (Annex 27 ; A 122, 1923).

M. Valdés-Mendeville, Rapporteur, will address the Assembly.

M. Valdés-Mendeville (Chile), Rapporteur :

Translation : Mr. President, ladies and gentlemen.—As you have the report before you, I will confine myself to a few brief remarks.

The Fifth Committee has taken as its guide one of the most cherished ideals of the League of Nations, which is not, and should not be, the hasty construction of the edifice of peace—a task beyond the power of man to achieve in a single day — but rather the preparation of the ground, by using all possible means to bring about mutual understanding, by sincere and spontaneous co-operation between the peoples.

The present generation still bears the marks of recent ills. The young have been spared these sufferings. Their minds are open to all noble thoughts and generous ideals.

This spirit must be fostered. We must facilitate contact between young people of all nations, and visits of groups of boys and girls to each other's countries, for history shows that great friendships between the nations frequently spring from friendships between individuals, strengthened by the memory of a happy sojourn, however long ago, in some hospitable town or pleasant countryside.

The Committee has considered two different methods by which contact could be established : first by groups of students visiting foreign countries, where they will gather stores of knowledge and sympathy ; and secondly by associations of Boy Scouts and Girl Guides.

These associations, which possess a world wide-organisation, have an International Bureau which is in close touch with the League, and there is no need to demonstrate the useful work achieved by them. The infectious enthusiasm of their members has swelled their numbers so that they now include two-and-a-half million young people, governed by one common moral law inculcating the loftiest principles.

I believe I am voicing the unanimous wishes of the Committee when I state that, if the resolution before you is adopted and if the Members of the League agree to grant these facilities, they will, with but little effort, be sowing seed which in one short season will yield a bounteous crop. (*Applause.*)

The President :

Translation : If nobody wishes to speak, I shall declare the discussion closed.

The resolution is as follows :

The Assembly,

Considering the importance of encouraging contact between the younger generations of different nationalities: Invites the Governments of the States Members of the League of Nations to grant all possible facilities for travel by land or by water :

- (a) *To groups of students at higher or secondary educational institutions,*
- (b) *To groups of Boy Scouts and Girl Guides, belonging to a registered national association of any State Member of the League,*

when such groups are travelling from the territory of one State Member of the League either through or to the territory of another State Member.

(The resolution was unanimously adopted.)

78.—SLAVERY : REPORT OF SIXTH COMMITTEE : RESOLUTION.

The President :

Translation : The next item on the Agenda is the report submitted by the Sixth Committee on the question of slavery. (Annex 28 ; A 117, 1923.)

Dr. Nansen, Rapporteur, will address the Assembly.

(Dr. Nansen mounted the platform amidst the applause of the Assembly.)

Dr. Nansen (Norway) Rapporteur.—Mr. President, ladies and gentlemen—You have before you a very short report on the work of the Sixth Committee regarding the abolition of slavery. I do not think that it is necessary for me to read it although it is short. I will, however, just say these few words.

We all agree that slavery ought to be stamped out. We all regret deeply that slavery still exists in many parts of the world, in mandated territories and in other countries. It is of vital importance that the League should do its very best to abolish slavery. The difficulty is, however, that the enquiry is not yet finished and therefore the League has some difficulty in suggesting what action should be taken.

We have recommended the Council to continue the present enquiry and to take such steps as it may deem necessary in order to obtain the most reliable information on the question, and to refer to some future date the consideration of the actual steps to be taken. (Applause.)

The President :

Translation : M. Freire d'Andrade, delegate of Portugal, will address the Assembly.

M. Freire d'Andrade (Portugal) :

Translation : Mr. President, ladies and gentlemen—You will permit me to pay a tribute to our distinguished Rapporteur, Dr. Nansen, Chairman of our Committee. He drew up the Sub-Committee's report and submitted it to the Committee; he has now presented the Assembly with the remarkable report which you have before you: and all this within twenty-four hours. He has performed a miracle of rapidity and knowledge, such as only a man of his great ability could achieve.

Having regard to the fact that the Minutes of Sub-Committees are only kept in an abbreviated form, and that the discussion which began yesterday in the Sixth Committee was much curtailed owing to lack of time, I think it right to take this opportunity of explaining my country's point of view, as it is the oldest of the Colonial Powers, and has at times been unjustly attacked. Portugal therefore desires that the question of slavery should be examined in the full light of day, and that severe measures should be devised in common, with a view to putting an end once and for all to this evil, which is still rife in certain parts of the world.

On behalf of my country I fully concur in the resolutions contained in the report submitted to you by our eminent colleague, Dr. Nansen.

All countries agreed that slavery must be suppressed, but Portugal was the first to take action, with the result that slavery, in the true sense of the word, no longer exists in any of her colonies. I cannot make the same statement in regard to domestic slavery, which we are doing our utmost to suppress. It still remains however, deep-rooted in the customs of the African natives and, in a mild form, is still to be found sporadically in our colonies, and still exists in all the other colonies in tropical Africa.

The resolutions which have been submitted to you constitute a great advance toward the object which we desire to obtain. In the first place, they invite the Council to entrust the investigation of this subject to a specially-appointed body with powers to obtain from the various States all information which it may consider necessary and to take evidence from individuals or organisations whose reliability is recognised.

This is proof of considerable progress, and I am proud

to have put forward the proposal and to have contributed towards achieving this result.

In so grave a question we should not lay ourselves open to the reproach that we were reluctant to give a hearing to any person whose information might prove useful and whose aim was the protection of natives.

My principal object in speaking here is, however, to state, as I have already stated at great length before the Sub-Committee, that slavery in all its forms will not disappear until the traffic in arms and ammunition is effectively regulated, until native labour has been organised on sound and liberal lines, and until the illicit trade in alcohol is checked.

In this connection I have great pleasure in paying a tribute to the Government of New Zealand, which has put into practice a principle that I have persistently advocated. This Government has prohibited the sale of alcoholic liquors in the territories under its mandate, not only to natives, but also to the other inhabitants of these territories. It is a fine example, and one that should be followed.

I am therefore of opinion that the body to be entrusted by the Council with the drawing up of a report on slavery can only achieve complete success if, in addition, it has powers to consider the question of the traffic in arms and alcoholic liquors, in close co-operation with any institutions which are at present dealing with these important questions.

I could say much more, if I were not restricted by the ten-minutes' time-limit.

I must add in conclusion, however, that my country has always endeavoured to fulfil not only the duties which have been imposed upon her by the treaties which she has voluntarily signed, but those duties also which are imposed upon all nations by the dictates of humanity. She has therefore always done, and will continue to do, everything in her power in order that the fullest possible light may be thrown on the question of slavery, and in order that abuses, which are always liable and indeed likely to occur when the selfish interests of man are at stake, may be severely punished. We therefore feel the greatest satisfaction at the Sixth Committee's recommendations; and although they are not, I venture to think, quite so effective as they would have been if the proposal which I submitted to the Sub-Committee had been accepted, they nevertheless constitute a great step forward on the road which we are all so desirous to follow. (Applause.)

The President :

Translation : M. Bonamy, delegate of Haiti, will address the Assembly.

M. Bonamy (Haiti) :

Translation : Ladies and gentlemen—I beg your permission to add a few remarks to the comprehensive report which has been put before you by that eminent philanthropist, Dr. Nansen.

The question of slavery was placed on the agenda of the fourth Assembly in view of a resolution adopted by the third Assembly.

The investigation begun by the Council, although still incomplete, and the assistance given by numerous philanthropic societies, such as the Anti-Slavery Society of London, which has been engaged in this work for a century, the Bureau International de Genève pour la Protection des Indigènes de Couleur, and the International Women's Suffrage Society, have shown that the evil is even more widespread than was supposed.

A century and a half after the great movement of emancipation, which began with the French Revolution, was carried on in England at the instigation of Wilberforce, was taken up in France after a lapse of approximately half a century, by the great Liberals of 1848, such as Lamartine and Ledru-Rollin, and which resulted in the final suppression of slavery in the French

and British colonies in America—a century and a half later, I repeat, there are still to be found civilised peoples who, because men are black and belong therefore to a so-called inferior race, keep them in the degrading state of slavery.

In this twentieth century, traffic in coloured men women and young girls is still carried on, in spite of the energetic measures to suppress it taken by great Powers such as England and France.

In an attempt to extenuate or at least to explain this shameful state of affairs in certain colonies, the pretext is advanced that the system in force is not absolute slavery. A euphemistic term is employed, and it is disguised under the more pleasant-sounding name of domestic slavery. It is none the less slavery, since the man who is thus bound to his master has no personal freedom and is the property of his master, who can sell him or give him away.

The Convention of St. Germain-en-Laye of September 10th, 1919, signed by seven great Powers, provides for the abolition of slavery in all its forms.

It is contended that such abolition is difficult of realisation, since slavery is an age-long institution, and that it would be impossible in certain colonies to procure the necessary manual labour in any other way.

This is a mere pretext. Was it easy for England or for France to abolish slavery in their American colonies in the nineteenth century? The problem for these Powers was a formidable one, since the measure might have brought ruin on the colonies in question. They took the necessary step, however, and in the long run were none the worse for it. In any case, the measure was a just one, and very soon it became clear that free labour was much more productive than forced labour. There is therefore no doubt as to the possibility of destroying this last vestige of servitude between man and man. In fact, certain Powers have done so without hesitation.

In a memorandum addressed to the Secretary-General of the League of Nations by the Bureau International de Genève pour la Protection des Indigènes de Couleur, it is reported that England has liberated 185,000 natives of Tanganyika who were in a state of domestic slavery. It would surely be possible for the other Powers to do the same.

The League of Nations, by virtue of its Covenant, is under an obligation to continue to take energetic action in this matter. It has taken excellent measures for the protection of minorities in Europe. These minorities belong to the white races and the measures taken concern the new States which had arisen since the war. These measures were both necessary and just, and, for my part, I voted for them with the greatest possible enthusiasm. But other Powers also have racial and religious minorities in their territories. The least that can be asked is that they should apply in their own territory the rules which they impose upon others.

Race distinctions can no longer be regarded as a principle; still less can the enslavement of one race to another be justified.

The League of Nations is based on the principle of the equality of nations. Articles 22 and 23 of the Covenant lay down rules which are binding upon all. Justice requires that what the League of Nations has done for minorities of white race by abolishing the traffic in white women and children, it shall also do for other suffering races who are subject to inhuman and brutalising treatment, and who ask for justice.

If the Council wishes to achieve effective and rapid results in this matter, it must entrust to a special organisation the enquiry which is now being made. The expenses which may be incurred in this connection are necessary and justifiable.

I know, however, that I am preaching to the converted. I have only said what you all think, and there

are many among you who could have found more eloquent words than I, yet there is no one who could speak with deeper feeling or conviction, or with a greater desire for success. For I speak on behalf of a country the inhabitants of which once knew the terrible system of slavery, a country which has no cause to blush for its humble origin, since, if slavery brutalises the slave it also demoralises the master, and those who but yesterday were slaves have won their freedom and independence by their own unaided efforts.

I speak therefore on behalf of the coloured Republic of the Antilles and in so doing my country is carrying out its duty towards the other black races. I speak on behalf of the whole coloured race when I ask the great civilised Powers, who are more advanced than we are, to assist the unfortunate Africans to rise to a higher state of civilisation.

I conclude these short remarks by quoting the words of a great French colonial authority, M. Albert Sarraut, the present Minister for the Colonies. It is a profession of faith which should serve as a watchword to all colonial Powers.

“Colonisation is no longer a one-sided operation for mercantile or political ends. It is essentially a work of humanity, a source of riches which is not merely national but universal, and should be a source of profit to the patrimony of the whole world; it should increase the material and moral value of that patrimony, and this enrichment of mankind should be achieved by the co-operation of the governed races, whose human value should increase by the labours of the coloniser. I am glad to see that the French colonising genius has everywhere implanted a tradition of humanity and justice, combining a total lack of colour-prejudice with a true Christian spirit. Our native policy may be defined as ‘The declaration of the Rights of Man, as interpreted by St. Vincent de Paul’”. (*Applause.*)

The President :

Translation : Does any one else wish to speak? The discussion is closed.

The resolution is as follows :

The Assembly,

Having taken note of the information obtained up to the present from Members of the League and considering that it cannot form the basis of a sufficiently complete report,

(a) *Expresses to the Council its gratitude for the steps taken to carry out the request made by the third Assembly relating to the question of slavery ;*

(b) *Requests the Council to entrust to a competent body the duty of continuing the investigation with a view to obtaining further information on the subject, particularly from the Governments of States not Members of the League, and, if necessary, from individuals or organisations whose competence and reliability are recognised ;*

(c) *Expresses the hope that the results of this investigation be may communicated, if possible, to the fifth Assembly, and the desire that, in any case, the fifth Assembly may receive a report showing the progress made in different countries with regard to the suppression of slavery in all its forms.*

(The resolution was unanimously adopted.)

**79.—ADMISSION OF ABYSSINIA TO THE LEAGUE :
REPORT OF SIXTH COMMITTEE.**

The President :

Translation : The next item on the Agenda is the consideration of the report on the admission of Abyssinia to the League of Nations. (Annex 29 ; A. 105, 1923.)

In the absence of M. Hymans, Chairman of the Sixth Committee, I call upon M. Titulesco, Vice-Chairman of the Committee, and M. Meierovics, Rapporteur, to take their places on the platform.

(M. Titulesco and M. Meierovics took their places on the platform.)

The President :

Translation : M. Meierovics, Rapporteur, will address the Assembly.

M. Meierovics (Latvia), Rapporteur :

Translation : Mr. President, ladies and gentlemen—At its meeting on September 20th, the Sixth Committee adopted the conclusions of the report of the Sub-Committee appointed to consider the request of Abyssinia for admission to the League of Nations, and recommended that the Government of that country should agree to sign a declaration with regard to the questions of slavery and of traffic in arms.

This declaration is worded as follows :

“The Empire of Abyssinia, following the example of other sovereign States which have given special undertakings on the occasion of their admission to the League of Nations, makes the following declaration :

“1. Abyssinia adheres to the obligations formulated in Article II, paragraph 1, of the Convention signed at St. Germain-en-Laye on September 10th, 1919, amending the General Act of Berlin dated February 26th, 1885, and the General Act and Declaration of Brussels dated July 2nd, 1890.

“2. Abyssinia, recognising as binding the system at present established with regard to the importation of arms and ammunition, undertakes to conform to the principles set forth in the Convention and Protocol signed at St. Germain-en-Laye on September 10th, 1919, and in particular to the stipulations contained in Article VI of the said Convention.

“3. Abyssinia declares herself ready now and hereafter to furnish the Council with any information which it may require, and to take into consideration any recommendations which the Council may make with regard to the fulfilment of these obligations, in which she recognises that the League of Nations is concerned.”

The Abyssinian delegation having received full powers to sign this declaration, I have the honour to inform you that the Sixth Committee is unanimously in favour of the admission of Abyssinia to the League of Nations. *(Applause.)*

The President :

Translation : In accordance with Article 1 of the Covenant, a two-thirds majority of the Assembly is necessary for the admission of a State to the League of Nations. We will therefore take a vote by roll-call

(The vote was taken by roll-call, Members answering “Yes” or “No” or “Not voting” from their seats.)

The following 45 Members voted :

Albania, Australia, Austria, Belgium, Brazil, British Empire, Bulgaria, Chile, China, Costa Rica, Cuba, Czechoslovakia, Denmark, Esthonia, Finland, France, Greece, Haiti, Hungary, India, Ireland, Italy, Japan, Latvia, Liberia, Lithuania, Luxemburg, Netherlands, New Zealand, Norway, Panama, Paraguay, Persia, Poland, Portugal, Roumania, Salvador, Kingdom of the Serbs, Croats and Slovenes, Siam, South Africa, Spain, Sweden, Switzerland, Uruguay, Venezuela.

All the replies were in the affirmative.

The President :

Translation : As the Assembly has voted unanimously in favour of the admission of Abyssinia, I declare Abyssinia admitted to the League of Nations. *(Unanimous and prolonged applause.)*

I believe I shall be interpreting the views of the whole League of Nations in congratulating the State which has just been admitted. *(Renewed applause.)*

79(a).—CREDENTIALS OF DELEGATES OF ABYSSINIA : REPORT OF COMMITTEE ON CREDENTIALS.

The President :

Translation : The Chairman of the Committee on Credentials will address the Assembly.

M. Aguero y Bethancourt (Cuba), Chairman and Rapporteur of the Committee on Credentials :

Translation : Ladies and gentlemen—I have the honour to inform you that the Committee on Credentials has examined the documents accrediting the delegates of Abyssinia, and having found the documents in good and due form, proposes that the following be admitted as representatives of Abyssinia to the Assembly of the League of Nations : M. Dedjazmatch Nadeon, first delegate ; Count Robert Linant de Bellefonds ; M. Ato Fassika. *(Applause.)*

The President :

Translation : Is there any opposition ?

The conclusions of the report are adopted. *(Assent.)*

I call upon the delegates of Abyssinia to take their places among us.

(The delegates of Abyssinia took their seats amidst the unanimous and prolonged applause of the Assembly.)

The President :

Translation : M. Dedjazmatch Nadeon will address the Assembly.

(M. Dedjazmatch Nadeon, first delegate of Abyssinia, mounted the platform amidst the renewed applause of the Assembly.)

79(b).—SPEECH BY M. DEDJAZMATCH NADEON.

M. Dedjazmatch Nadeon (Abyssinia) :

Translation : In the name of Her Majesty, Zeuditu, Queen of the Kings of Abyssinia, of His Imperial Highness Ras Tafari, Heir to the Throne and Regent, and in the name of all the people of Abyssinia, the Abyssinian delegation begs to thank the Assembly for the spirit of goodwill and exalted justice in which it has considered and decided to grant our request for admission.

I would venture to pay my tribute to the ideal of the brotherhood of man which inspires your debates and enhances the lively satisfaction which we feel to-day.

Abyssinia can already boast a glorious past and a brilliant civilisation, but she realises clearly that she must make an earnest effort if she is to reap all the benefits of modern organisation. Our Government is happy to be able to count on the solidarity of all the nations of the world in the fulfilment of its task. *(Applause.)*

80.—COST OF LIVING AT GENEVA? SALARIES AND PENSIONS: REPORT OF FOURTH COMMITTEE.

The President :

Translation: The next item on the Agenda is the report of the Fourth Committee on the cost of living at Geneva, salaries, and the pensions and deferred pay funds (Annex 30; A. 121, 1923.)

I call upon M. Adatci, Chairman of the Fourth Committee and M. Barboza Carneiro, Rapporteur, to take their places on the platform.

(M. Adatci and M. Barboza Carneiro took their places on the platform.)

The President :

Translation: The Rapporteur will address the Assembly.

M. Barboza Carneiro (Brazil), Rapporteur, read his report and added:—Allow me to say a few words to supplement my report. A difficulty has arisen with regard to the interpretation of paragraph 20 of the report and of Article VI of the draft resolution, both of which deal with the same question. The Supervisory Commission has accordingly asked me to request the Assembly to reserve its approval of paragraph 20 and Article VI until this afternoon.

The President :

Translation: M. Barboza Carneiro proposes, at the request of the Supervisory Commission, to reserve approval of paragraph 20 of his report and Article VI of the draft resolution until this afternoon. (*Assent.*)

The Rapporteur will again address the Assembly.

M. Barboza Carneiro (Brazil), Rapporteur :

Translation: Mr. President, ladies and gentlemen—In paragraph 7 of my report I state that the rents paid by the officials of the Secretariat and the International Labour Office have not decreased.

The Sub-Committee appointed by the Fourth Committee to study the questions dealt with in the report under discussion, noted with regret that this point gave rise to an anomaly in view of the general decrease in the cost of living at Geneva.

The Committee feels it to be its duty to suggest in a friendly manner to the authorities of the Canton of Geneva, and to landlords, that they should at their earliest convenience consider the possibility of revising rents. The Committee requests in particular, that allowance should be made for the fact that the majority of leases were drawn up at a time when not only was the cost of living very high but the demand for flats and villas very great, on account of the arrival of the League staff at Geneva.

The Committee feels confident that due consideration will be given to its argument and that the authorities of the Canton of Geneva will be good enough to take the initiative in examining, together with the parties interested, the best means of remedying this state of affairs.

The President :

Translation: Sir James Allen, delegate of New Zealand, will address the Assembly.

Sir James Allen (New Zealand): As Chairman of the Sub-Committee which dealt with the question of the cost of living at Geneva, I am requested by the Fourth Committee to make a statement to you with regard to the rents in Geneva. The Rapporteur has made some

allusion to it, but I think I had better add to his statement.

We examined the question of rents in regard to our staff, and we found that they had not decreased since the year 1921. On endeavouring to find the reasons for this stability in rents, we came to the conclusion that a unique situation existed in Geneva, in that arrangements for the lease of a house or a flat must be made through a *régisseur*, who has the power of deciding the amount of the rent to be paid, and other conditions. The *régisseur* is thus able to exercise an absolute monopoly.

I will not add more to this statement except to join in the appeal which the Rapporteur has made to the Swiss representatives on the League of Nations and to the Geneva public in order that this monopoly may be removed. Had the monopoly not existed, had there been free competition, rents in Geneva would not have been in 1923 as high as they were in 1921. If this appeal is without effect, it will be for the next Assembly to consider what steps it ought to take in order to place the staff in a position to secure their homes at a reasonable rate.

I want now to refer to the report itself. I am sorry to say that I find myself differing in opinion from the rest of my colleagues on one main principle. My colleagues have adopted an index number of 100 for the year 1921, which has no relation whatever to the rise in the cost of living from 1914 to 1921. It is a purely arbitrary figure. In adopting that arbitrary figure they have been led to conclusions in regard to the decrease in the cost of living as compared with 1921 which, in my judgment, are unsound.

I am not going to move any resolution because such a large majority both in the Sub-Committee and in the Committee was against me, but I desire to place on record my protest against the method by which they have adopted the conclusion that the fall in the cost of living from 1921 to 1923 is only 13%. I make it higher.

I do want, however, to move an amendment, or an addition, to the interpretation of paragraph 6 of the report. I moved it in the Fourth Committee, and lost it—not by a very large majority; and since then three members of the Committee at least have come to me and said that they voted against me owing to a misunderstanding. I therefore give the Assembly an opportunity of deciding whether it will adopt my amendment or not. It is this:

“That the percentage reduction on variable salaries shall be calculated on the original variable salary and not on the variable salaries as reduced by previous percentages.”

The reason for my moving this is in order to do justice to the staff in the first instance. The rise and fall in the cost of living may act in two ways; it may act for a decrease of salary or for an increase of salary.

If the interpretation of paragraph 6 as contained in the report is carried by the Assembly, then, should a rise in the cost of living take place, the staff will receive, not a percentage on the original variable salary, but on a reduced variable salary—with this result. We are taking off 13% now. If there happened to be a rise of 13% in the next 12 months, instead of getting back to where they were, instead of receiving a 13% rise on their fixed salary, the staff will only receive a 13% rise on their reduced variable salary. That is an injustice which I think ought to be removed. Therefore I move that amendment.

The other amendment I want to move refers to paragraph 9 of the report on the cost of living. I did not agree, and several members of the Fourth Committee did not agree, with the resolution that was carried, according to which all salaries below 55,000 frs. should consist of a fixed portion of 80% and a variable portion of 20%. The Expert Committee, presided over by M. Noblemaire, temporarily fixed the 7,000 frs. salary at 55% fixed and 45% variable. The Sub-

Committee determined to increase the fixed portion of the salaries of the lower-paid staff to 62 %. The staff have recommended that, should the Supervisory Commission support the recommendation, the fixed portion of the smaller salaries should be 70 %. The Fourth Committee have increased that to 80 %, and have made 80 % the same for all salaries—whether low or high.

I want to point out the injustice of this decision. It is all very well to fix high and low salaries at the same percentage when there is a fall in the cost of living, but we must go back to the time when those salaries were arranged and consider what happened then. Those receiving smaller salaries did not then receive the same percentage of increase as those who were better paid. They received a higher percentage. By the decision taken in the Fourth Committee this state of affairs has been reversed. I therefore move as an amendment to paragraph 9 of the report:

“ That the Assembly, having considered very carefully the proposals of the Supervisory Commission, as regards a modification of the percentage of the variable portion, and after examining the documents placed at its disposal, decides that the fixed and variable portions of the salaries should be established as follows:

Salaries	Variable Percentage	Variable Portion	Fixed Portion
7,000	30.0	2,100	4,900
20,000	22.5	4,400	15,600
40,000	20.0	8,000	32,000

“ For salaries above 40,000 francs the fixed portion of the salary should amount to 80 %, and the variable portion to 20 %. As regards the salaries of 7,000 francs and less of members of the staff not locally engaged, 70 % shall constitute the fixed portion and 30 % the variable portion.”

In suggesting 70 % I am suggesting the figure recommended by the staff themselves and also by the Supervisory Commission. The Sub-Committee did not adopt the 70 %, but reduced it to 62 %. I think it would be fair, as so many members of the Assembly wish to improve the condition of the lower-paid staff, that the figure should be raised from 62 % to 70 %, and I accordingly move that amendment.

The President:

Translation: Sir Rennell Rodd, delegate of the British Empire, will address the Assembly.

(Sir Rennell Rodd mounted the platform amidst the applause of the Assembly.)

Sir Rennell Rodd (British Empire)—Mr President, ladies and gentlemen—I have only two or three words to say, as a member of the Sub-Committee which is responsible for the report which you are now considering.

In the first place, as regards paragraph 6 of the report and the footnote to it, I wish to say that I warmly support the amendment of Sir James Allen, because I honestly believe that the matter was not thoroughly understood when it was put before the Fourth Committee. It came at the end of a long and very weary day, and I confess that I neither voted for nor against it, because I was still engaged, at the moment when the vote was taken, in trying to work out and to discuss with some of my colleagues the exact meaning of the paragraph.

Talking the matter over with several of them afterwards, I found a fairly general consensus of opinion that there was a misunderstanding as to the real sense of the footnote, and I therefore wish to support Sir James Allen's resolution.

I am also in agreement with him regarding his second resolution modifying the sense of paragraph 9

of the report but he has sufficiently explained that, and I need not enlarge upon it. I need do no more now than draw attention to these two points; but I most earnestly hope that the Assembly will take into careful consideration, even if it cannot take a vote upon the question at this moment, the bearings of paragraph 6 of the report and the footnote as it at present stands, because I am honestly convinced that, on that particular point, a mistake has been made.

The President:

Translation: M. Ador will address the Assembly.

M. Ador (Switzerland):

Translation: Ladies and gentlemen—As a citizen of Geneva I should like to say a few words in reply to the observations of the Rapporteur and Sir James Allen.

I should not like you to go away under an impression that there exists at Geneva a trust of *régisseurs*, that the *régisseurs* are middlemen to whom flat-hunters are forced to apply. The *régisseurs* are merely agents appointed to conclude leases by absentee landlords or by landlords who are prevented from transacting their business in person.

A large number of buildings in Geneva are owned by foreigners who do not reside here, and are obliged to have a representative, whose business it is to arrange leases. All leases, however, are concluded freely between the landlord or his representative and the tenant desiring a flat. There is no monopoly of any kind in favour of the *régisseur*. In many cases the tenant is able to deal with the landlord direct, without applying to a middleman.

I should like to add that I am fully convinced that it is possible to find much cheaper flats in the suburbs of Geneva—which are really quite attractive from a residential point of view—than on the Quai du Mont-Blanc, the Quai des Eaux-Vives or in the more luxurious quarters of the town. In short, officials living in Geneva must learn that some flats and some districts are more expensive than others, and that there are districts where it is possible to live quite simply and very comfortably, and where flats, quite suitable for any official of the League, can be found at reasonable rents.

I am quite certain that the Government of the Canton of Geneva, if appealed to, will endeavour as far as possible to meet the views and recommendations of the Committee. I should, however, like to point out that the Government of Geneva has no power to interfere in the case of a contract freely concluded between a landlord and his tenant upon application by the latter. These matters are governed solely by the law of supply and demand. Obviously, a landlord is perfectly free to let his premises for any rent which a tenant will agree to pay.

In conclusion, I wish to repeat that the Government of Geneva will very gladly use its influence with the *régisseurs* who have the largest number of flats at their disposal and will request them to approach the landlords in question and ask them to fix moderate and reasonable rents for officials of the League.

Our one wish in Geneva is that the staff should be happy in our city, that they should find conditions of life there agreeable and take away with them a pleasant impression of their stay.

I can assure you that the Cantonal Government is actuated by the best will in the world, but its powers to take action are limited, seeing that it has no authority to prevent leases from being freely taken up between landlords and tenants. *(Applause.)*

The President:

Translation: M. Giurati, delegate for Italy, will address the Assembly.

M. Giuriati (Italy) :

Translation: I should like to give the Assembly the reasons why I put forward in the Sub-Committee and in the Fourth Committee the proposals embodied in paragraph 9 of the report which the Rapporteur has submitted to you.

The Sub-Committee and the Fourth Committee proposed to regulate the scale of salaries in proportion to the cost of living, so that all salaries under 55,000 francs would be divisible into a fixed portion and a variable portion, the latter portion varying inversely in proportion to the grade of salary received.

This argument at once appeared to me untenable. The proposal is to be found in M. Noblemaire's report to the Assembly in 1921. In 1921, however, an increase in the cost of living was generally anticipated, and it can readily be understood that the staff enthusiastically accepted the principle of the inverse ratio which I have mentioned.

What are the actual facts? Not only is there a reduction in the cost of living, but, as the Rapporteur has told you, it is proposed to reduce salaries by 13%, and the system of the inverse ratio, which in 1921 failed to arouse any particular anxiety among the staff, has now aroused the very greatest anxiety.

There is no reason for accepting the scale drawn up in 1921. If you read M. Noblemaire's report, you will find all the arguments against the view which has been advanced with great authority by Sir James Allen and Sir Rennell Rodd.

The report contains the following passage :

"It is clear that, other things being equal, the smaller the amount of salary received the greater is the proportion of that salary which must be expended on the necessities of life; and that, on the other hand, the larger the salary received the greater is the proportion of that salary which is available to meet outgoings other than in respect of necessities, and that these outgoings, in so far as they represent savings, are less affected by temporary variations in the cost of necessities of life. To the extent that they represent luxury expenditure, their recipients have a wider field for economies than have those who are in receipt of low salaries."

We have documentary evidence containing statistics which prove the accuracy of M. Noblemaire's statement.

In these circumstances I ask you, now that you are about to reduce salaries, whether you consider it fair that the lower salaries should be reduced in a larger ratio than the higher.

We have been told that the proposal to reduce salaries in accordance with the inverse ratio is put forward in the interests of the staff itself.

The Secretary-General, speaking before the Fourth Committee, expressed the interests of the personnel in a sentence which appears in the Minutes of the eleventh meeting of the Fourth Committee, and which I will venture to read to you: "Subject to consideration of

the legal rights created by contracts actually in force, I accept M. Giuriati's proposal, the more so because I have recently been greatly concerned with the situation of the internal staff, and have myself been induced to consider certain exemptions for the salaries of the lower grades".

What actually happened was this:—Mlle. Mayras, who superintends the shorthand-writing and typing department, gave evidence before the Sub-Committee that, if the proposals of the Sub-Committee were accepted and if the Assembly then repudiated the resolution as communicated by our Rapporteur, many of her staff would resign. The Secretary-General confirmed the statement made by the superintendent of the typing department.

In these circumstances I ask you, what is the real interest of the League of Nations? Is it in the League's interest to allow a spirit to develop among its personnel which, should the proposal of Sir James Allen and Sir Rennell Rodd be accepted, would lead to resignations?

I am certain of your answer; you will not wish to set your seal to what is manifestly unjust. I am convinced that you have the interests of the League of Nations at heart, and that it is your desire that the whole staff should feel assured of the future and should not be dissatisfied with the salaries which they will in future receive by decision of the Assembly.

The President :

Translation: M. Barboza Carneiro, Rapporteur, will address the Assembly.

M. Barboza Carneiro (Brazil), Rapporteur :

Translation: I have the honour to propose that the Assembly should adjourn until this afternoon the discussion on the addition to the footnote to paragraph 6 of the report, proposed by Sir James Allen. The Assembly could vote immediately on Articles II, III, IV, V and VII of the Committee's resolutions.

The President :

Sir James Allen will address the Assembly.

Sir James Allen (New Zealand) :—I take it that it will be understood that one of the amendments I moved does affect Article VI. Is Article VI postponed? ("Yes") Very well: I did not know that.

The President :

Translation: Does anyone wish to speak?

If not, the discussion is closed, except in regard to Articles I and VI, which are held over.

I will ask the Assembly to vote on Articles II, III, IV, V and VII of the resolutions which have not given rise to objection.

(The articles were unanimously adopted.)

The Assembly rose at 12.50 p.m.

EIGHTEENTH PLENARY MEETING

Friday, September 28th, 1923, at 3.30 p.m.

President: M. DE LA TORRIENTE Y PERAZA.

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ALLOCATION OF EXPENSES OF LEAGUE: REPORT OF FOURTH COMMITTEE: RESOLUTIONS.

The President :

Translation: The next item on the Agenda is the discussion on the report of the Fourth Committee on the Allocation of the Expenses of the League. (Annex 31 ; A. 118, 1923.)

I call upon M. Adatci, Chairman of the Fourth Committee and Sir Rennell Rodd, Rapporteur, to take their places on the platform.

(M. Adatci and Sir Rennell Rodd took their places on the platform.)

The President :

Translation: The Rapporteur will address the Assembly.

Sir Rennell Rodd (British Empire), Rapporteur:—Mr. President, ladies and gentlemen—History repeats itself and after two years I once more find myself about to pronounce, if not the last word, at any rate the last word. In doing this, I am not, I am solely undertaking the pleasant task of congratulating the Assembly on the approaching termination of your work but, the Assembly has more unwelcome task of the servant who without any end of a banquet to present the reckoning.

I would remind you that while a great many of the delegates here have been concentrating on matters of world-wide importance engaging universal attention, a certain number of us have been labouring inconspicuously, but not less arduously, in endeavouring to distribute as equitably as possible among guests, who are perhaps not now quite so enthusiastic, their legitimate share of the general costs of the banquet.

I have endeavoured to set out as clearly and as simply as possible in this report the conclusions which the Sub-Committee of the Finance Committee have reached. The report, completed by the adoption of a second alternative proposal which it contains for the distribution of a limited number of units which are now at our disposal, has been unanimously accepted by the Finance Committee.

It was, I know, difficult for many of the members to reconcile themselves to renouncing certain anticipations which I myself regard as fully legitimate; but they have realised that we must for the present, for one year at any rate, inevitably wait a little longer for a new and a more equitable basis of distribution. They have realised that individual interests must yield to the general interests of the League of Nations and they have agreed that the provisional scale shall remain in force for the year 1924.

I would like once more to remind the Assembly that this provisional scale only comes into effect by virtue of an amicable agreement between the nations here represented, and that it will only have real juridical value when the one sole ratification of the amendment of Article 6 of the Covenant which still remains to be deposited has been received.

I trust that the Assembly will also unanimously endorse the decision taken by the Fourth Committee which has worked without respite to accomplish a very ungrateful task in which the only reward that it can hope for is to make the smallest number of enemies possible.

I think that the work which has been continued for the last three weeks without respite by the Fourth Committee has been useful, and I am sure that the most useful work that the Rapporteur of the Sub-Committee can do is not to waste words on a topic which does not lend itself to eloquence but merely to ask you to accept the conclusions adopted which still make it possible to afford some slight measure of relief to those countries whose cases are considered to present the greatest claims for reconsideration.

In conclusion may I say that the Finance Committee had no hesitation in unanimously deciding that on the present occasion a substantial alleviation should be offered to Japan, and it was confident that in so doing it represented the unanimous desire of the Assembly. The manner in which it is proposed to carry out that spontaneous demonstration of universal sympathy and fraternity will be found clearly indicated in the report.

I think that I may perhaps be allowed to say these few words also in French, because it is such a very simple thing that I have to say.

The President :

Translation : The Maharajah of Nawanagar, delegate of India, will now address the Assembly.

The Maharajah of Nawanagar (India) :—Ladies and gentlemen—The resolution before the Assembly renews, with slight modifications for 1924, the scale which was approved for 1923 only. The Indian delegation will abstain from voting on the present resolution.

Perhaps I may be allowed to explain the reason for India's abstention. The Government of India is ready to acquiesce in the temporary renewal of the scale. It will do so in a spirit of co-operation and from a desire to avoid making its own point of view a cause of difficulty to this Assembly.

But the Government of India is anxious, firstly, that acquiescence this year should not be interpreted to mean that India is satisfied with the incidence of the present scale proposed in the resolution and, secondly, that India should make it clear that she reserves full liberty to object to the present proposed scale at the Assembly of 1924 should there then be a proposal to prolong its application.

The President :

(Translation) : Does anyone else wish to speak? The discussion is closed.

The resolutions are as follows :

I. The Assembly,

Considering that it is not possible to draw up a definitive scale for the allocation of the expenses of the League of Nations for the year 1924 ;

Considering that the scale adopted for the year 1923 has been recognised by general consent as establishing a more just and equitable system for the allocation of the said expenses than did that of the Universal Postal Union :

Approves for the year 1924 the application of the scale annexed to the present resolution¹ which is based upon that of 1923, and resolves that the new units made available by the accession of the Members admitted to the League in 1923 shall be divided among those Members for whom the existing allocation is particularly heavy ; this allocation shall be made by the Committee on the Allocation of Expenses ;

And requests the Council to ask the Committee on the Allocation of Expenses, presided over by M. Réveillaud, to continue its researches with a view to preparing a definitive scale which may be presented to a subsequent Assembly. The Assembly leaves it to the Council to modify the composition of the Committee as it may desire.

II. The Assembly,

Begs the Council to urge those Members which have not already ratified the first amendment to Article 6 of the Covenant voted by the Assembly of 1921 to do so as soon as possible.

III. The Assembly,

Inspired by a lofty sentiment of the community of nations, desirous of manifesting its profound sympathy with Japan at a moment in which she has been overtaken by a catastrophe of unprecedented magnitude and anxious to lighten the contributory obligation of that country in such measure as the financial situation of the League allows :

Resolves to reduce to 61 the number of units assigned to Japan in the provisional scale of allocation for 1924. The other Members of the League of Nations undertake to meet the additional charges resulting from this reduction in proportion to the number of units assigned to each.

(The resolutions were unanimously adopted.)

The President :

(Translation) : M. Adatci, Chairman of the Fourth Committee, will address the Assembly.

¹ See Annex 31 (Document A. 118. 1923).

M. Adatci (Japan) :

Translation : Ladies and gentlemen—It is not as Chairman of the Finance Committee that I wish to speak to you. I have been deeply moved by the repeated manifestations of sympathy extended to my people, and I have read with feelings of indescribable gratitude the resolution in which the Fourth Committee proposes that you should take practical measures on behalf of my unhappy country. The resolution is conceived as follows :

“The Assembly, inspired by a lofty sentiment of the community of nations, desirous of manifesting its profound sympathy with Japan at a moment in which she has been overtaken by a catastrophe of unprecedented magnitude and anxious to lighten the contributory obligation of that country in such measure as the financial situation of the League allows :

“Resolves to reduce to 61 the number of units assigned to Japan in the provisional scale of allocation for 1924. The other Members of the League of Nations”—(in other words, yourselves)—“undertake to meet the additional charges resulting from this reduction in proportion to the number of units assigned to each.”

Fifty-four civilised countries meeting in plenary assembly at Geneva have expressed the wish to bear solemn witness to their unanimous sympathy by taking on their shoulders the pecuniary consequences of this measure of temporary relief.

As this decision has not so far been telegraphed to my Government, I am naturally not yet in possession of its views, but you may rest assured that, when my Government is acquainted with the resolution, it will deeply regret that time does not permit it to express its profound gratitude while you are still here ; for tomorrow we part, and a telegram takes 24 hours to reach Tokio.

In these circumstances, the Japanese Government will return thanks to the fourth Assembly of the League through the medium of the Press.

For myself, words fail me, as representative of my country, to thank you for the resolution which you have unanimously adopted, including Abyssinia, who, although only joining us to-day, wishes to bear her share of the expenses.

With all my heart and soul, I thank you all most deeply. *(Applause.)*

The President :

Translation : I have received the following letter from His Highness, Prince Arfaed-Dovleh, delegate of Persia :

“As I do not wish to take up the time of the Assembly by making a speech, I beg you to be good enough to insert the following declaration made by Persia in the records, when the vote is taken on the allocation of expenses.

“Persia will abstain from voting in order to avoid the rejection of the Committee's draft scheme, but entirely maintains her point of view and cannot accept any arrangement by which her contribution is made larger than 125,000 gold francs.

(Signed) : ARFAED-DOVLEH.”

82.—COST OF LIVING AT GENEVA, SALARIES AND PENSIONS: REPORT OF FOURTH COMMITTEE: CONCLUSION OF THE DISCUSSION: RESOLUTIONS.

The President :

Translation : The next item on the continuation of the discussion on the

Fourth Committee on the cost of living at Geneva. (Annex 30; A. 121, 1923.)

The Rapporteur will address the Assembly.

M. Barboza Carneiro (Brazil), Rapporteur :

Translation : Ladies and gentlemen—Two questions were held over from this morning's discussion on the report which I had the honour to lay before you. One refers to an addition proposed by Sir James Allen, and the other to the wording of paragraph 20 of the report.

With regard to the addition proposed by Sir James Allen, I am quite prepared to recommend that you should vote in favour of it, if drafted in the following terms :

"The percentage reduction or increase on variable salaries shall be calculated on the original variable salary and not on the variable salaries on which reductions have already been made."

I would then propose to the Assembly to add an explanatory note as follows :

"In the event of a fresh reduction of 11 per cent as compared with 1921, the variable part of the salaries will be reduced by 11 per cent of the initial total."

This addition will appear below paragraph 9 of my report.

The President :

Translation : Sir James Allen will address the Assembly.

Sir James Allen (New Zealand) :—I only want to suggest that as the Rapporteur accepts one of my proposals, we should deal with paragraph 9 of the report. In order to concentrate the discussion, may I suggest that we should agree to paragraphs 6 and 8 of the report? I have already dissented from the principles in paragraph 7, but I will not press my objection to it as I have given notice of my dissent. But could we not pass over paragraphs 6 and 8 and concentrate on my other amendment to paragraph 9?

The President :

Translation : M. Barboza Carneiro will address the Assembly.

M. Barboza Carneiro (Brazil), Rapporteur :

Translation : I think there is a slight misunderstanding. Paragraph 6 of the report was adopted this morning. What was not adopted was Article VI of the resolution, which refers to a totally different subject, namely, the salaries of the locally-engaged staff.

I am in entire agreement with Sir James Allen as to the addition which he proposes to make to paragraph 9 of the report, but I must again state definitely that the addition cannot be inserted in the resolution submitted to the Assembly.

The President :

Translation : I must remind the Assembly that this morning it adopted all the articles of the resolution except Articles I and VI.

M. Réveillaud will address the Assembly.

M. Réveillaud (France) :

Translation : I would point out that the amendment submitted by Sir James Allen raises no difficulty in regard to principle. It was overlooked by the Committee solely and entirely owing to a misunderstanding—in the literal sense of the word. I think, therefore, that the Assembly might unanimously adopt the amendment without any hesitation.

The President :

Translation : If there is no opposition I declare Sir James Allen's proposal adopted.

(The proposal was adopted.)

The President :

Translation : Sir James Allen will address the Assembly.

Sir James Allen (New Zealand) :—Mr. President, I desire to know whether there was not some misunderstanding this morning. I gather that it is stated now that the articles of the resolution were adopted this morning. I understood that we were dealing with the paragraphs in the report itself.

If Article II of the resolution had not been adopted, I wished to protest because I moved an amendment to Article II, and to paragraph 9 in the main report, which is also covered by Article II of the resolution. I must ask that I may be permitted to put before the Assembly the amendment to paragraph 9 of the main report which also affects Article II of the resolution.

May I explain what the amendment is? The Fourth Committee, against the advice of the Supervisory Commission and against the recommendation of the staff itself, agreed to fix the same rate of percentage for the fixed and variable portions of the salaries of all members of the staff whose pay is less than 55,000 francs, that is to say it fixed the fixed portion of the salary at 80 per cent and the variable portion at 20 per cent. The Noblemaire Committee had recommended that the fixed portion of the smaller salaries should be 55 per cent. The staff themselves examined the question and recommended 70 per cent. The Supervisory Commission recommended 70 per cent and the Sub-Committee of the Fourth Committee recommended 62 per cent.

I wish to make a distinction between the fixed portion of the salaries of the lower-paid staff and the higher-paid staff, for a very obvious reason. When the salaries were agreed to and when it was determined to have the fixed and the variable portions, the variable portion which was allotted to the lower salaries was a very much higher percentage of the salary than was the variable portion allotted to the higher salaries.

We are now making them equal all the way through, and this is not, in my judgment, a proper way to carry out the undertaking. I think that it would be fair to adopt the suggestion of the staff and the recommendations of the Supervisory Commission, and give all those who have a salary of 7,000 francs and less, that is, the members receiving the lowest salary of all, a fixed salary of 70 per cent, which is higher than the figure the Committee recommended, and to allot 80 per cent to the salaries of 55,000 francs and over. That is the amendment I move, and I think the Assembly ought to decide which is the fairer method to adopt.

The President :

Translation : This morning the Assembly discussed and subsequently adopted the resolutions proposed by the Fourth Committee, with the exception of Articles I and VI, in regard to which amendments had been submitted. It is impossible to reopen the discussion on the articles which have already been adopted.

Sir James Allen's first proposal having been adopted, I must now put to the vote the first article of the Committee's resolutions, which is as follows :

1. *The Assembly approves as a whole the report presented by the Fourth Committee (A. 121, 1923) with regard to the cost of living at Geneva, salaries and the establishment of a pensions fund.*

(This article was unanimously adopted.)

The President :

Translation : The Rapporteur will address the Assembly.

M. Barboza-Carvalho (Brazil), Rapporteur :

Translation : As the President has pointed out, the only article in the Fourth Committee's resolutions held over for discussion is Article VI.

As certain delegates have expressed the opinion that there might be some doubt in regard to the interpretation of paragraph 20 of my report, relating to the salaries of locally-engaged staff, I desire to state that the text as it stands was endorsed by the Chairman of the Supervisory Commission.

Let me remind you of its terms :

"§ 20. The Fourth Committee considers that by reason of the decrease in the cost of living the salaries of the locally-recruited staff should be reduced.

"This reduction should be effected by taking as the basis the reduction contemplated in the salaries of municipal, cantonal, and federal officials in Geneva. It, therefore, considers that it would be equitable to make a general reduction of 3½ per cent.

"Salaries below 3,000 francs a year should receive special consideration.

"The Committee proposes that these modifications should be carried into effect immediately. They must, however, be subject to the results of a thorough examination of all the aspects of the question, and especially the problem of classifying the staff in conformity with the second paragraph of this article. The Supervisory Commission is requested to present a report on this subject as soon as possible to the Secretary-General and to the Director of the International Labour Office."

The text of Article VI of the resolutions reads as follows :

VI. *The Assembly decides that the salaries of the locally-engaged staff shall undergo a reduction in accordance with the proposals contained in paragraph 20 of the report of the Fourth Committee.*

The President :

(Translation) : If there is no opposition, Article VI of the resolution is adopted.

(Article VI was unanimously adopted.)

Sir James Allen (New Zealand) : We ought to have a clear understanding of the position. When we were discussing this question this morning, I understood that we were dealing with the paragraphs of the report, and my amendment referred to paragraph 9 of the report. I did not at all understand that we were dealing with the articles at the end of the report. I must therefore ask your ruling. If you decide to deal with the articles now open for discussion, and my amendment cannot be discussed—and it never has been discussed—I shall accept your ruling, but I shall do so under protest.

The President :

Translation : This morning I put the resolutions to the vote article by article. I clearly specified Articles II, III, IV, V and VII, reserving Articles I and VI, until this afternoon. I regret the misunderstanding. I believe, however, that the Assembly clearly understood this morning which were the articles on which it was asked to vote.

Sir James Allen (New Zealand).—Mr. President, I ask that you should record my protest against your ruling.

The President :

Translation : Sir James Allen's protest will be placed on record.

(The report as a whole was adopted, together with the resolutions which read as follows :

I. *The Assembly approves as a whole the report presented by the Fourth Committee (A. 121, 1923) with regard to the cost of living at Geneva, salaries, and the establishment of a pensions fund.*

II. *The Assembly decides to fix at 20 per cent the variable portion of the salaries of all established officials (au titre international) of the Secretariat of the League and of the International Labour Office.*

III. *The Assembly decides that a reduction of 13 per cent shall be made in respect of the year 1924 on the variable portion of the salaries of all the officials mentioned in Resolution II.*

IV. *The Assembly decides that the salaries of the Secretary-General, the Director of the International Labour Office, and of all the high officials engaged at a fixed salary who have agreed that part of their own salaries should be regarded as a variable portion shall, from now onwards, be composed of two portions, the one fixed and the other variable, the latter portion being 10 per cent of their present salary.*

V. *The Assembly decides that the variable portion of the salaries of the officials referred to in Resolution IV shall undergo a reduction of 13 per cent in respect of the year 1924.*

VI. *The Assembly decides that the salaries of the locally-engaged staff shall undergo a reduction in accordance with the proposals contained in paragraph 20 of the report of the Fourth Committee.*

VII. *The Assembly decides to establish a compulsory Pensions Fund for the officials of the Secretariat and the International Labour Office. It instructs the Supervisory Commission to draw up the final detailed regulations of the scheme in accordance with the proposals contained in the report of the Fourth Committee. It decides that the liabilities imposed on the budget of the League of Nations in consequence of the scheme shall not exceed 5 per cent of the total salaries of the officials affected by the pensions scheme which has been approved by the Supervisory Commission, and which is referred to in the report of the Fourth Committee already mentioned.*

83.—FINANCIAL QUESTIONS: REPORT OF FOURTH COMMITTEE: RESOLUTIONS.

The President :

Translation : The next item on the Agenda is the report of the Fourth Committee on financial questions. (Annex 32 ; A 100, 1923.)

I call upon M. Botella, Rapporteur of the Fourth Committee, to take his place on the platform.

(M. Botella mounted the platform amidst the applause of the Assembly.)

The President :

Translation : M. Botella will address the Assembly.

M. Botella (Spain), Rapporteur :

Translation : Mr. President, ladies and gentlemen—I must confess that the task which I have the honour—and I would say the great honour—of carrying out here is beyond my powers, and yet it is far easier, and,

above all, pleasanter, than that which my eminent predecessors, the Rapporteurs of the Fourth Committee at previous Assemblies were called upon to perform. They were obliged to come here and express the regret of the Fourth Committee that it had been unable to realise the economies which had been called for by almost all the delegations. I am more fortunate than they, for I can simply say to you: "Gentlemen, your will has been done".

The report of the Fourth Committee, which has been distributed to all delegations, contains particularly eloquent figures on this point. You will note that the Fourth Committee has succeeded in considerably reducing the financial estimates. Whereas the budget expenditure for 1923 amounted to 25,173,508 gold francs, the corresponding figure for 1924 is 21,250,912 gold francs, showing a reduction in expenditure of 3,922,596 gold francs. This reduction is spread over all the budgets of the League. It affects the budget of the Secretariat, that of the autonomous organisations and those of the International Labour Office and the Permanent Court of International Justice.

I may tell you that this miracle—for it is nothing short of a miracle—has been achieved thanks to the goodwill of all concerned and, most especially, thanks to the spirit of comprehension and the willingness to pursue a policy of economy shown by the Secretary-General of the League and the Director of the International Labour Office, thanks also to the really remarkable work of the Supervisory Commission. We have received from all quarters every facility necessary to enable us to arrive at the result which we have the honour to announce to the Assembly.

The economies, as I have observed, affect every item in the budget to a certain degree—that is to say, they affect all the estimates submitted by the Fourth Committee. Some of the economies are large, many are small, but they represent, when taken together, a considerable amount.

The name of Lord Morley, the eminent Englishman who died but a few days ago, was mentioned in the Fourth Committee. In one of his best-known works, the "Life of Gladstone", he eulogises the small economies which constitute the essence of that great statesman's economic policy. Since Lord Morley's book was mentioned, we of the Fourth Committee have spoken of the savings which we are recommending as "Gladstonian economies".

Now that we have, first in the Fourth Committee and to-day in the Assembly, carried out this urgent duty of inaugurating a policy of retrenchment, we have another duty to fulfil upon returning to our respective countries.

At the present moment an almost universal, and in some quarters malicious, campaign is being waged against the expenditure of the League. The estimates and expenses of the League are considered excessive. In these circumstances, considering the sacrifices which the budgetary estimates submitted to you represent, it is, I think, the duty of each one of us to proclaim to the world that this campaign is unjust.

I do not wish to compare the expenditure of a State and the expenditure of the League. I do not wish to remind you that the latter is considerably less than the cost of one of the great battleships which have been scrapped as the result of the Washington Conference. I will not remind you that the League, by saving Austria, averted the economic and financial consequences in Europe which would probably have been brought about by the collapse of a country which has our deepest sympathy.

I might remind you of other services rendered by the League which have spared the world some most painful experiences.

I think—and I trust everyone will share my opinion—that, while we should energetically pursue this policy of retrenchment, we must not allow it to impede the essential work of the League, which, not-

withstanding the criticism and scepticism of its adversaries, represents a great step forward in the history of international law, for the future of the human race and the peace of the world. (*Loud applause.*)

The President :

Translation: M. Adatci, delegate of Japan, will address the Assembly.

M. Adatci (Japan) :

Translation: Ladies and gentlemen—The Rapporteur of the Finance Committee has just given you a very clear statement of the line followed by the Fourth Committee. I have nothing to add to what he said; I wish merely to emphasise once again the opinion that was shared by all members of the Committee.

Your Finance Committee may hold its head high before the Assembly; it has carried out very thoroughly a policy of retrenchment which is absolutely indispensable at a time when many countries, Members of the League, are passing through an unprecedented financial crisis.

There is a reduction in the League's budget of about 2,350,000 francs as compared with the current year. Nevertheless, the Fourth Committee has succeeded in establishing a Pensions Fund to which the League will contribute 408,000 francs. The contribution to the Working Capital Fund, which amounts to 500,000 francs this year, will next year reach two million and some thousand francs. One might therefore say that in point of fact the Fourth Committee has effected economies amounting to 4½ million francs.

To achieve this excellent result we have had, regretfully, to submit to many sacrifices, which were however unanimously considered indispensable. With tears in our eyes, we have decided on many reductions, and Committees have had to consent to cruel but necessary reductions of their credits. The budgets of numerous organisations which we considered essential have been cut down.

As Sir James Allen has said, every member of the Fourth Committee must, when giving his vote, remember that he is the representative of his country and must fully realise his responsibility.

The financial situation of a country or of a society forms the basis of the political life of that country or the basis of that society. The financial situation of the League of Nations is therefore the basis of the very life of that organisation. Let us guard it well. The League will not exist for many years if its finances are allowed to fall into disorder.

Every member of the Fourth Committee has taken an oath to vote in plenary Assembly with a deep sense of his responsibility and I feel sure that no member will hesitate in confirming the vote which he gave in Committee.

I therefore beg the Assembly to pay the utmost attention when the vote is taken. The vote should be taken by roll-call in order that each delegate may assume his responsibilities before the world. The moment is a very serious one. The question at stake is to ensure the League a sound and healthy existence. (*Loud applause.*)

The President :

Translation: Sir Rennell Rodd will address the Assembly.

83 (a).—LATIN-AMERICAN BUREAU: MOTION BY SIR RENNELL RODD (BRITISH EMPIRE) ? RESOLUTION.

Sir Rennell Rodd (British Empire):—I have a small resolution to put before the Assembly which

has not yet been submitted to it in any printed or written form. I have been informed that the appropriate moment for doing so is during the discussion of the budget, because it enters into the general idea of the budget, though it has, at present, nothing to do with asking for money: "it is only a question of making a study and report.

As you are aware, after the last Assembly there was instituted here at the League of Nations a Latin-American Bureau on a rather tentative basis. That Bureau has produced very satisfactory results. It is desirable now that it should be further developed and that a study should be made as to how those results which have given so much satisfaction up to the present could be rendered more satisfactory still; in fact, how we should throw one more bridge across the Atlantic.

I believe the motion will not call for any debate and is certain to be accepted unanimously by the Assembly.

The terms of it are as follows:

"The Assembly, having taken note of the favourable results of the work done by the Latin-American Bureau during the past year and realising that the development of this Bureau offers an effective means of reinforcing an essential liaison between the Governments and the central organs of the League of Nations, resolves to entrust the Secretary-General with the study of a scheme for the reorganisation of the Latin-American Bureau and to request him to submit in due course this draft scheme to the Members of the League of Nations so that the fifth Assembly may, if circumstances permit, take a decision on the subject."

I hope you will all unanimously support this modest resolution.

The President:

Translation: M. Botella, the Rapporteur, will address the Assembly.

M. Botella (Spain), Rapporteur:

Translation: As the proposal of the honourable delegate for the British Empire does not involve any modification of the Fourth Committee's estimates I beg on behalf of the Vice-Chairman of the Fourth Committee and on my own behalf, to state that we are not opposed to the adoption of this very interesting motion.

The President:

Translation: The resolution is as follows:

The Assembly,

Having taken note of the favourable results of the work done by the Latin-American Bureau during the past year and realising that the development of this Bureau offers an effective means of reinforcing an essential liaison between the Governments and the central organs of the League of Nations;

Resolves to entrust the Secretary-General with the study of a scheme for the reorganisation of the Latin-American Bureau and to request him to submit in due course this draft scheme to the Members of the League of Nations so that the fifth Assembly may, if circumstances permit, take a decision on the subject.

If there is no opposition this resolution is adopted.

(The resolution was unanimously adopted.)

The President:

Translation: Does anyone else wish to speak? The general discussion on the budget is closed.

83 (b).—CREDIT FOR HIGH COMMISSION FOR REFUGEES.

The President:

Translation: I propose that we now discuss the question of refugees, which has been reserved.

M. Radeff, delegate of Bulgaria, will address the Assembly.

M. Radeff (Bulgaria):

Translation: Mr. President, ladies and gentlemen—I have listened very attentively to the arguments so eloquently and appositely put forward in favour of a reduction of the expenses of the League. As the representative of a small country with heavy financial charges and groaning under the weight of heavy international obligations, I, more than any other delegate in this Assembly, appreciate reasons for economy.

Nevertheless, besides financial considerations, however justifiable (and they are extremely justifiable), I would even say above such considerations, there are questions of international importance both from a moral and a social point of view; and I think that these questions should be approached from a different angle.

Yesterday, when I had the honour of laying before you the report of the Fifth Committee on the subject of the High Commission for Refugees, I told you that the Committee had unanimously recommended that the High Commission should continue its activities with means adequate for the fulfilment of the task with which you have entrusted it.

I also mentioned how grieved the Fifth Committee was to see that the resolutions it had adopted regarding the credit to be allocated to the High Commission for Refugees and its various organisations had been rejected by the Fourth Committee. The Committee then recommended that, when the report of the Fourth Committee came up for discussion in the Assembly, an amendment should be proposed with a view to finding a satisfactory solution for this question. I am therefore voicing the opinion of the Fifth Committee in proposing a draft resolution in the following terms:

"That the figure indicated in Article 25 of the budget for 1924 for the High Commission for Refugees be raised to 350,000 gold francs."

The resolution submitted by the Committee, which I had the honour to lay before you, gave the figure as 300,000 francs; but the Committee had also passed a resolution asking for a credit of 100,000 francs for Greek refugees. We decided to reduce this sum to 50,000 francs, and thus arrived at the figure of 350,000 francs given in my resolution.

Yesterday M. Gustave Ador reminded you, in touching words, of the unhappy, I might almost say disastrous consequences, both for the countries affording hospitality to the Russian refugees and for the refugees themselves, which would ensue if the credits at the disposal of the High Commission were reduced. I will not repeat M. Ador's words; I merely wish to remind you of them and of the weight which they receive through the high authority of their esteemed author. *(Applause.)*

The President:

Translation: The Rapporteur will address the Assembly.

M. Botella (Spain), Rapporteur:

Translation: Mr. President, ladies and gentlemen—The Fourth Committee considered with great care

and attention the request for credits which the honourable delegate for Bulgaria has just vindicated before the Assembly.

The Committee has paid a just tribute to the work done by Dr. Nansen.

In deciding to reduce the credits in question, the Committee made a great sacrifice. It would have preferred to recommend their retention, but the proposed reduction is the necessary consequence of the policy of economy upon which we have embarked.

As Rapporteur of the Fourth Committee I must therefore abide by the resolution adopted by the Committee on this point. (*Applause.*)

The President :

Translation : M. Petresco-Comméne will address the Assembly.

(M. Petresco-Comméne mounted the platform amidst the applause of the Assembly.)

M. Petresco-Comméne (Roumania):

Translation : Mr. President, ladies and gentlemen—In view of the fact that one of the definite objects of the League of Nations is to achieve solidarity between peoples; that a considerable number of Russian citizens are in a situation deserving the compassion of all nations; that previous Assemblies decided, as far as possible, to reduce the unspeakable sufferings of these human beings; that the realisation of the programme proposed by the High Commissioner for Refugees, whose competence, energy and disinterestedness have called forth universal admiration, cannot be attained unless the necessary funds are forthcoming,

For these reasons,

With a view to bearing witness once again to its sympathy with the Russian people and to paying tribute to the principle of international solidarity inscribed in the Preamble of the Covenant of the League itself,

The Roumanian delegation declares that it is in favour of the motion of Dr. Radeff. (*Applause.*)

The President :

Translation : Dr. Nansen will address the Assembly.

(Dr. Nansen mounted the platform amidst the applause of the Assembly.)

Dr Nansen (Norway):—Mr. President, ladies and gentlemen—I am very sorry to have to occupy your time for a few minutes to explain the situation which I think is not quite clearly understood. The question as it stands now is whether the League of Nations or the Assembly wishes the work which we have carried on to be continued until some solution can be reached, or whether it is preferred that the work should be broken off in the middle.

The Fourth Committee has, for good reasons, I am quite sure, found it necessary to cut down the budget. It is its business to say that there is no money if there is no money, but it is my duty to explain to you that if there is no money, or if the money necessary cannot be given, the work cannot go on. I leave it to you to decide whether the work which we have carried on for some time should be continued by the League or not.

I was told that it was the repeatedly unanimous vote of the Fifth Committee that the League should do this work, but my view is that if the work of the League is to be carried on, it must be carried on in an efficient way, and in a way which is dignified for the League. We cannot take upon ourselves the responsibility of trying to do work which we know will be very inefficient.

The budget which we have estimated as necessary was cut down twice after very careful consideration of every reduction that was possible. It has now been reduced by the Fourth Committee to one-half, and I think it necessary to explain to you that when a budget has been cut down as much as possible, and then is suddenly reduced to one half, it is impossible to go on. It is my duty to say here that under such conditions we cannot go on with the work—it is quite impossible.

I will not take up your time by trying to describe the consequences for the refugees and the whole world, because they are very fully mentioned in the report, but I think I must add one thing. I have been asked by the Council to-day and a few days ago, whether the High Commission, which I have the honour to lead, is willing to help the Armenian refugees. This, I understand, the Council thinks very desirable, because the Assembly has three times, in three different sessions, voted very solemn declarations in favour of helping the Armenians. These declarations have led to nothing.

There is now an opportunity really to help them, and the Council thinks that it is its duty and the duty of the League to do their utmost to give this help to the Armenians now, and they have asked me whether I am willing to assist. I have said "Yes, and we can do it without any expense because we have already the High Commission which could carry out the work". I was obliged to tell the Council, however, that this could only be done if the credits, which we estimated as being absolutely necessary, were given. If they are not given any help from the High Commission for the Armenians will of course be impossible, simply because the High Commission must finish up its work.

I would also tell you one thing more. It was stated in the Fourth Committee that the budget could be much reduced if the various nations that had received refugees would themselves set up national commissions to take care of the refugees. I may point out that the work of the delegations of the High Commission has not been so much to take care of the refugees in the country and to protect them there as to try to act as intermediary between the Government of the country in which the refugees were living and the Government of the country to which they wished to go, and to try to get passports for them and to evacuate them to other countries. I may point out for instance that in Constantinople we have been able, without spending any of the money of the League, to evacuate 20,000 refugees to 27 or 30 different countries.

In order to make people understand the necessity of having delegations of the High Commission instead of national Commissions in the various countries, I will read you a telegram that I have just this moment received. It is from the Jewish Organisation, and it says that alarming news has just been received to the effect that on the Russian frontier 4,000 refugees were arrested in synagogues last Thursday, a day of solemn fast, hundreds being expelled every day across the frontier, under cruel conditions. "Beg urgently your intervention either Assembly or Fifth Committee. Action of the local authorities must seriously dislocate our plans for evacuation refugees within time limit." That is from the Jewish Organisation. It is willing to give the money, but must have somebody to do the work.

This state of affairs has resulted from the effort to save money, because the representative was withdrawn. When we have tried to save money by withdrawing our delegations the same thing has happened over and over again and the poor refugees have got into enormous difficulties and endured great sufferings, and some have even died. I am afraid that it is somewhat of an error to think that by having local national organisations we could save your money. The fact is that we have all along been under the necessity of raising money. This has been our chief work during all these years. We have got comparatively little monetary support and we have had to raise the money among ourselves. This, however, cannot go on any longer.

If it is not desired that this work shall continue I can assure you that I myself, in a way, shall be glad. A very heavy burden will be taken from my shoulders. But I think that it is my duty to make known the condition of the refugees of whom we have hitherto taken care in the name of the League. Their future will be very uncertain if the work must stop. (*Applause.*)

The President :

Translation: M. Osusky will address the Assembly.

(*M. Osusky, mounted the platform amidst the applause of the Assembly.*)

M. Osusky (Czechoslovakia) :

Translation: Mr. President, ladies and gentlemen—I should like to make my position in this question as clear as possible. In my opinion, this question is in no way a political one, and I am speaking from a purely budgetary point of view. The question now before us is the budget, and we must not confuse a political with a budgetary issue.

It is true that certain States are particularly interested in this matter, and I think I may say that Czechoslovakia is one of them. Czechoslovakia has paid particular attention to this question and has taken its decision on it.

In view of the importance of the undertaking, the Fourth Committee unanimously voted a credit of 153,000 francs for the Russian Section, and similarly, in agreement with the Greek delegation, unanimously voted the credit proposed in its report for Greek refugees (50,000 francs).

The matter before us to-day is one of vital importance to the League. During the past year criticisms of the finances of this institution have reached us from many quarters; the Fourth Committee has therefore aimed at introducing order and method into the budget of the League. (*Loud applause.*)

If we wish this institution to have the moral right to advise nations to put their finances and their budgets in order, we must set an example ourselves. (*Renewed applause.*)

The budget, then, was approved by the Fourth Committee in the form in which it lies before you, and in the course of the discussion several of the proposals submitted were rejected. Our delegation, for example, lost a motion, but we are public-spirited enough to bow to the decision of the majority in financial matters, and the matter in question will not be raised again by us.

But we must all show this public spirit, for if we fail to do so we shall not overcome our difficulties.

In the Supervisory Commission I had to deal with administrative, financial and budgetary questions, and I think, after the very careful examination of the budget by the Fourth Committee, the work accomplished at the cost of so much labour should not be upset at the last moment in this Assembly. (*Applause.*) I trust that this Assembly will vote for the report as submitted to it by the Fourth Committee. In doing so it will vote for order and method in the finances of the League of Nations. (*Loud applause.*)

The President :

Translation: M. Radeff will address the Assembly.

M. Radeff (Bulgaria) :

Translation: Mr. President, ladies and gentlemen—After the eloquent speech of the delegate of Czechoslovakia, I should like, as author of the proposal now before the Assembly, to make a few remarks.

First of all, I should like to say that M. Osusky's definition of the question before us, namely, that it is a purely budgetary matter, can hardly be accepted

without question. Every Budgetary question is a political question. The policy of a State is revealed most clearly in its budget. Whenever it is decided that, for political, moral, social or humanitarian reasons, a resolution should be adopted, the sole question that arises is whether it is financially possible; but no arguments have been raised to convince the Assembly that what we are asking is an impossibility.

The delegate of Czechoslovakia has asked us not to upset the budget as adopted by the Fourth Committee. I think I shall be saying nothing contrary to financial practice and the tradition of this Assembly if I say that the Fourth Committee does not pass the budget; it merely submits budget estimates to the Assembly. It is the universal practice of all parliaments that budget estimates are presented by a committee and can be amended in the course of debate.

I think you will agree with me that I have not exceeded the right possessed by every member of this Assembly in submitting an amendment at this stage. I would have submitted the amendment several days ago, but was told that this was impossible and would in any case be likely to interfere with the work of the Finance Committee. I am therefore submitting the amendment now because it was impossible to lay it before the Assembly at an earlier date.

In conclusion, I would briefly revert to the root of the whole question, and call your attention to the gravity of the declaration which Dr. Nansen has made since I proposed my amendment. He said that with the credits which the Fourth Committee proposed to grant it would be impossible for him satisfactorily to continue the task which the League has confided to him, the vast political and humanitarian importance of which cannot be exaggerated.

It is for the Assembly to decide. For my part, all that I ask, before it takes its decision, is that it should realise the responsibility it would take in cutting Dr. Nansen's mission short, for this responsibility threatens to be a heavy one when the disastrous consequences of this reduction make themselves felt. (*Applause.*)

The President :

Translation: M. Botella, Rapporteur, will address the Assembly.

M. Botella (Spain), Rapporteur :

Translation: Mr. President, ladies and gentlemen—As Rapporteur of the Fourth Committee, I have nothing to add to the eloquent words just spoken by the Chairman of the Supervisory Commission, M. Osusky. He very rightly appealed to the public spirit in the Assembly. The Fourth Committee received energetic appeals from every delegation to pursue a policy of economy. This policy of economy has called for very real sacrifices, amongst which I must number Dr. Nansen's work, for which the Committee expressed the great admiration which it deserves.

I must remind the Assembly that, as regards the High Commission for Russian Refugees, the Fourth Committee has taken the proposal of the Supervisory Commission into account and voted a sum of 153,000 francs. In addition it has voted a supplementary credit of 50,000 francs for the Greek refugee section.

On behalf of the Fourth Committee I beg to express my entire agreement with M. Osusky in reminding the Assembly of the necessity for this public spirit of which he spoke, and I feel sure that, in order to pursue this policy of economy which has been asked of us, the resolutions regarding this branch of our work will be adopted by the Assembly, as they were by the Fourth Committee. (*Applause.*)

The President :

Translation: M. Adatci, Chairman of the Fourth Committee, will address the Assembly.

M. Adatci (Japan), Chairman of the Fourth Committee :

Translation : Mr. President, ladies and gentlemen—I have not come here to plead any special cause before you; but, in order that I may salve my conscience, I wish to draw your attention to a fact of which the greater number of you are perhaps still unaware.

I must inform you of the method and procedure by which the Finance Committee arrived at this satisfactory result—how it came to effect an economy of approximately 4½ millions on the budget. It is the outcome of a hard and desperate—I might almost say a cruel—struggle. This struggle was perhaps hardest upon the Governing Body of the International Labour Office.

I was the representative of Japan on that body. At two sessions, held in February and April, and again in June, we put forward a unanimous demand that, in view of the financial difficulties of the majority of the Members of the League, the most drastic reductions possible should be made in the number of the staff and in administrative expenditure. Those among you who have been appointed to represent your Governments on the Governing Body will assuredly remember the dramatic, nay tragic, scenes which frequently took place. We dealt very hardly with M. Albert Thomas; we were veritable executioners. Finally, the head of that great international administrative organisation, anxious to prolong its life, consented, with tears in his eyes, to a considerable reduction in the number of his able and devoted staff, and to reduce very considerably the costs of his administration. There were tears in my own eyes when I voted for this imperative economy. The Labour Office is now dismissing a large number of able officials, who will find themselves without resources. The costs of administration, even those which are essential, have thereby already been greatly reduced.

In the Secretariat of the League of Nations and of its various Committees, the Heads of the administration have also done their utmost to economise. As I have already said, no organisation can continue to exist without financial support.

I therefore make an appeal to you all. At the Fourth Committee we adopted a resolution granting a credit of 153,000 francs for Dr. Nansen's work—work for which I have the greatest admiration, and which I believe to be in the highest degree useful and indeed essential. But I appeal to your consciences. Our action has fallen hardly on many persons, and if the Assembly is to continue to follow the path of economy, it would, I think, be acting wisely if it voted no more than this credit of 153,000 francs to enable Dr. Nansen to carry on as far as he can his magnificent work, for which I desire to express my profoundest admiration. (*Applause.*)

The President :

Translation : Does anyone wish to speak?
The discussion is closed.

I put to the vote the budget as a whole, with the exception of Article 25.

(*The budget as a whole was adopted, with the exception of Article 25.*)

The President :

Translation : I now put to the vote M. Radeff's amendment to Article 25. It reads as follows :

"That the figure indicated in Article 25 of the budget for 1924 for the High Commission for Refugees be raised to 350,000 gold francs."

Votes will now be taken by roll-call.

(*The vote was taken by roll-call. The amendment was rejected by 23 votes to 16, with 3 abstentions.*)

The President :

Translation : I put to the vote Article 25 as proposed by the Fourth Committee.

(*Article 25 was adopted.*)

The President :

Translation : I put to the vote the report and the resolutions presented by the Fourth Committee. The resolutions read as follows :

I. *The Assembly, in accordance with Article 38 of the Regulations for the Financial Administration of the League of Nations, passes the audited accounts of the League for the fourth financial period ending December 31st, 1922.*

II. *The Assembly, in accordance with Article 17 of the Regulations for the Financial Administration of the League of Nations, approves, for the financial period 1924, the general budget of the League, of the Secretariat and the special organisations of the League, of the International Labour Organisation and of the Permanent Court of International Justice, amounting in all, including the supplementary credits, to 23,328,686.41 gold francs.*

And decides that these budgets shall be published in the "Official Journal".

III. *The Assembly adopts, in so far as they have been approved by the Fourth Committee, the findings of the various reports of the Supervisory Commission which have been submitted for its consideration.*

IV. *The Assembly adopts the amendments to the Regulations for the Financial Administration of the League of Nations which are given as an annex to the Fourth Committee's report. (Document A. 100. 1923.)*

V. *The Assembly adopts the findings of the Fourth Committee's report.*

(*The report and the resolutions were unanimously adopted.*)

84.—INTERPRETATION OF CERTAIN ARTICLES OF THE COVENANT AND OTHER QUESTIONS OF INTERNATIONAL LAW.

The President :

Translation : I call upon Viscount Ishii, President of the Council of the League of Nations, to address the Assembly.

Viscount Ishii (Japan), President of the Council of the League of Nations :

Translation : Mr. President, ladies and gentlemen—I have the honour to read you the following declaration :

I am charged by my colleagues to inform the Assembly that the Council passed the following resolution at its meeting this afternoon :

At its meeting of September 22nd, 1923, the Council asked a Committee of Jurists to formulate questions with regard to certain points concerning the interpretation of the Covenant and other matters of international law, which the Council had had under consideration.

The Committee submitted to the Council on September 26th the following questions :

Question 1.

Is the Council, when seised at the instance of a Member of the League of Nations of a dispute submitted in accordance with the terms of Article 15 of the Covenant, by such a Member as "likely to lead to a

rupture" bound either at the request of the other party or on its own authority, and before inquiring into any point, to decide whether in fact such description is well-founded?

Question 2.

Is the Council, when seized of a dispute in accordance with Article 15, paragraph 1 of the Covenant, at the instance of a Member of the League of Nations bound, either at the request of a party, or on its own authority, to suspend its enquiry into the dispute, when, with the consent of the parties, the settlement of the dispute is being sought through some other channel?

Question 3.

Is an objection founded on Article 15, paragraph 8, of the Covenant the only objection based on the merits of the dispute on which the competence of the Council to make an enquiry can be challenged?

Question 4.

Are measures of coercion which are not meant to constitute acts of war consistent with the terms of Articles 12 to 16 of the Covenant when they are taken by one Member of the League of Nations against another Member of the League without prior recourse to the procedure laid down in those articles?

Article 5.

In what circumstances and to what extent is the responsibility of a State involved by the commission of a political crime in its territory?

The Members of the Council being in agreement that any dispute between Members of the League likely to lead to a rupture is within the sphere of action of the League, and that if such dispute cannot be settled by diplomacy, arbitration or judicial settlement, it is the duty of the Council to deal with it in accordance with the terms of Article 15 of the Covenant; the Council decides that these questions shall be referred to a Special Commission of Jurists for an opinion as to the answers to be given.

The Council resolves that the report of the Special Committee of Jurists shall be submitted to it in time for consideration at its session in December. Each Member of the Council may nominate within a period of 15 days a Jurist to be a Member of the Committee. The Members thus nominated, together with the Director of the Legal Section of the Secretariat, will constitute the Special Committee of Jurists.

The President:

Translation: M. Branting, delegate of Sweden will address the Assembly.

(M. Branting mounted the platform amidst the loud and prolonged applause of the Assembly.)

M. Branting (Sweden):

Translation: Mr. President, ladies and gentlemen—When the Council was considering the resolution which has been communicated to the Assembly, I put forward a formal demand that all the questions formulated by the Committee of Jurists should be referred to the Court at The Hague for an advisory opinion.

It was not, possible however, to obtain a decision of the Council in this sense, and in the circumstances I did not oppose the suggestion that all these questions should be submitted to a Committee of Jurists, reserving, however, the liberty of expressing my opinion before the Assembly.

In view of the fact that doubts have been expressed as to the exact significance and scope of the obligations laid down in the Covenant, I am of opinion that it is of the utmost importance to reach a final settlement of

these doubts by means of an examination conducted by the Permanent Court of International Justice, an organisation which was created by the League of Nations, and actually provided for in the Covenant, for the purpose of giving an authoritative interpretation of the Treaties. A special Committee composed of jurists appointed by their Governments will not hold, in public opinion, the same position of authority and impartiality.

I must confess that, at the beginning of our discussion, I myself expressed the opinion that a committee of jurists of this kind might with advantage be appointed to examine the fifth question, relating to the responsibility of a State for political crimes committed on its territory against foreigners. The decision subsequently taken by the Conference of Ambassadors appears to me, however, to have given special significance to this question.

By the terms of the agreement reached between the parties concerned in the Italian-Greek dispute, the Permanent Court of International Justice was entrusted with the task of determining the amount of the indemnity to be paid by Greece if, as a result of the enquiry conducted on the spot, it were proved that there had been negligence on the part of Greece.

The Council of the League of Nations has been notified of a decision of the Conference of Ambassadors by which the jurisdiction of the Permanent Court of International Justice appears to have been set aside, despite the fact that the result of the enquiry which has been instituted is not known.

In these circumstances I urged that at all events the principle of international law in regard to such responsibility should be submitted to the Court.

From what has passed, it appears to me to be very clear that it is vitally important that the organisations of the League of Nations should be able to take action with a view to the solution of international conflicts. The maintenance of peace is, it is true, the object of the League of Nations, but a peace which is not founded on justice contains within itself the seeds of future conflicts. *(Applause.)*

The President:

Translation: Lord Robert Cecil will address the Assembly.

(Lord Robert Cecil mounted the platform amidst the applause of the Assembly.)

Lord Robert Cecil (British Empire):—Mr. President, ladies and gentlemen—I should like to be allowed to say a few words in explanation of the announcement which Viscount Ishii has just made. We were told the other day in this Hall that the Italian-Greek question was closed. I am not going to refer to it in any way but certain consequences of that question still remain. Difficulties which no doubt always existed, but which were not known to us were brought to light during the controversy which has taken place, and it is important for the future work of the League that those difficulties should, as far as possible, be brought to a final issue and determination.

Let me just deal very briefly with them. There is, first, the question of the sphere of the League's action in contentious matters. Broadly speaking, I suppose that there is not a man or woman amongst the delegations in this Hall who would have any difficulty in stating the general principle on this subject. They would say, and, as I think, say rightly that there must be no war or threat of war until recourse has been had to all the apparatus of peaceful settlement, diplomatic negotiation, arbitration, judicial settlement and, in the last resort, a hearing under conditions of publicity, before the Council itself.

The question that seems to have been raised is this:—Are there any exceptions to that rule? This is the point to which the first three questions are

directed. Does it oust the jurisdiction or let me say the power of the League, the functions of the League, that the matter has been brought before some other tribunal? Are there any series, any types of questions beyond those mentioned in paragraph 8 of Article 15 of the Covenant, that is, those affecting only the internal jurisdiction of a country? Are there any other questions which, by their nature, are removed from the procedure established by the Covenant for settling international disputes?

I do not believe that there are many, if any, people in this Hall who would have difficulty or doubt in answering these questions, but since some measure of doubt has been raised, it is right, it is proper, and I think it is of the very best precedent, that we should take every precaution to set those doubts finally at rest.

There is another matter alluded to in Question 4, namely, coercive measures short of war exerted by one country against another in order to secure compliance with some demand. Now I want to be perfectly frank and clear about this matter. No one who has any acquaintance with international history will doubt that such coercion has been a common practice amongst many nations, and not least amongst those represented in this Hall.

Let me give you an instance. I will take one from the history of my own country to avoid any misconceptions or doubts. In the year 1862 or 1863—I am not quite sure of the exact year, but it was about then—an Englishman was murdered in Japan. That was of course before the marvellous changes, which we have seen, had taken place in Japan. I do not think the details are of any great importance or were ever quite known. He met a troop of clansmen and was killed.

The British Government thereupon demanded by an ultimatum an apology from the Japanese Government, the payment of £25,000 to the relatives of the deceased, the payment of a penal sum of £100,000, and last of all the punishment of the murderer. Since the Japanese authorities were unable to effect the arrest of the murderer, I regret to say that the British Government ordered the bombardment of the town of Kagoshima, which was reduced to ashes. I do not think anyone will defend action of that kind. It is deplorable. But it is the practice that is to blame. The particular exercise of this right, if it be a right, will entail suffering of various kinds, just as acts of violence, be they in war or in any other condition, will always produce suffering.

I am not a jurist; I will not attempt to say whether before the Covenant that practice was legal or illegal—I believe there was a difference of opinion amongst jurists about it—but it was common. Do not let us deny it. The question is—and it is a very important question: Has the acceptance of the Covenant, the proclamation of international co-operation, made a difference in the legitimacy of that practice as between Members of the League? Again, many of us might be disposed to say that they had no doubt about the answer, but it is important that that question too should be settled in the most authoritative way possible, not for the past, but for the future.

Thirdly, there is the question, the very important question, of the responsibility of a country for acts committed against foreigners within its territory. What is the extent of the responsibility? How far is the country responsible for the crime? How far for the punishment of the crime?

These are three separate questions, all of them of great importance, all, particularly the first two, likely to affect the future life of the League, and likely to govern its future action. It is of great importance that they should be settled.

How has the Council decided that they should be dealt with? In the first place, let me draw your attention, as regards the first question, the question of the powers of the League, to a matter which was not

alluded to specifically by the previous speaker. You will find on the second page of the document which is before you this statement, and I draw your attention to it:

“The Members of the Council being in agreement that any dispute between Members of the League likely to lead to a rupture is within the sphere of action of the League,”

“The sphere of action of the League” are of course the words used in Article 13—of the Covenant—

“and that if such dispute cannot be settled by diplomacy, arbitration or judicial settlement,”—the three methods pointed out in Articles 13 and 14 of the Covenant—

“it is the duty of the Council to deal with it in accordance with the terms of Article 15 of the Covenant.”

This is a statement to which every Member of the Council adheres. It is a solemn re-statement of the obligations of the Covenant in this respect and I venture to express the confident belief that it will be endorsed by every delegation in this Hall. (*Applause.*)

I do not think it easy to exaggerate the importance of this statement or of the completeness of the answer which it makes to any suggestion that there is a tendency to play fast and loose with the obligations of the Covenant.

Now what else has the Council done? The three questions as to competence, the question as to international coercion, and the question as to national responsibility for crime are all sent for examination to a special Committee of Jurists. M. Branting has expressed his view that they should have been sent to the Court.

It may be said perhaps, with respect to the last two questions, the questions of international coercion and responsibility for crime that they are of such a large nature that they are not in every respect suitable for submission to the Court for an advisory opinion. I express no opinion upon that, but I agree with M. Branting that in any case there can be no doubt that the question of competency was quite suitable for submission to the Permanent Court of International Justice. Well, in this world you cannot always get what you want; sometimes you must be content with what you can get.

I would have liked—I say it quite frankly—this question, perhaps all the questions, to have gone to the Permanent Court. I agree for the reasons given by M. Branting, that it would have been the more satisfactory course. But, after all, the whole point of the League of Nations is not that the views of this or that country should prevail, but that, by agreement, you should get some common result. After long discussion, it became evident that a common agreement on this point was impossible. It was therefore necessary to find out what else could be done which would be reasonably satisfactory as a means of settling this question?

I think the conclusion reached by the Council is reasonably satisfactory. The matter goes to these Jurists. They report to the Council. The Council will then be free to consider the matter afresh. The Court is not excluded if it should then appear desirable, in order to free the matter from all possible doubt, that a reference to the Court should be made. This course remains open to the Council.

I must say I think that, on the whole, taken with the solemn declaration which is enshrined in this paper, a satisfactory settlement of these questions has been reached—or has been put in motion, and I trust that the Assembly will agree that the Council has taken the wise and useful course in the matter.

I will add one word more. I regard this precedent as of enormous importance. I put aside for the moment the questions of method, important as they may be. Do not let us commit that folly which is so often

committed, of allowing oneself to be diverted from what is really important by details which strike the imagination but which really do not go to the root of the matter.

It may have been better that this matter should have been dealt with by the Permanent Court. The really important thing is that, for the first time, we are establishing the precedent that after a great international controversy we must not be content merely with settling the actual issue or seeing settled the actual issue involved. We have a duty beyond that. We have to establish the principles on which future questions may be settled. We have to remove from our path any doubts or difficulties that may have been created.

We have, in my judgment, by the action we have taken to-day, established that precedent. We have taken one more step towards the establishment of the reign of law amongst nations and the end of the system of violence which is, in the end, always coincident with a system of injustice. (*Applause.*)

The President :

Translation : Dr. Nansen, delegate of Norway, will address the Assembly.

(Dr. Nansen mounted the platform amidst the applause of the Assembly.)

Dr. Nansen (Norway):—Mr. President, ladies and gentlemen—The Council has decided to put before a Committee of Jurists, five questions, four of which concern the interpretation of the Covenant of the League. I think that we all accept this communication with the hope that it will lead to a final settlement of the questions now in dispute. But we also hope, I think, that if it does not lead to clear and satisfactory results, the Council will then immediately submit the matter to the Permanent Court of International Justice.

In making this statement I must add a solemn declaration. My Government, and I believe the Government of every other Member of the League, has had no doubt that the meaning of the Covenant of the League is perfectly plain. We all believe that the Covenant of the League overrules any other supposed principle of international law that might be inconsistent with it. We have never had any doubt, and we have not now any doubt as to the competence of the Council in any international dispute which any one State, however weak, may submit to it.

We have no doubt that it is the duty of the Members of the League to submit to this procedure before they resort to measures of forcible coercion. We believe that these propositions are indisputable, and that we have as yet to hear any serious argument that can be brought against them. May I add the earnest hope of the entire Assembly, that the procedure to which the Council has agreed will finally clear up this most important question?

In the sanctity of the Covenant and in the rule of right, lies the whole future of the League of Nations. We have heard that the late war was carried on to secure the sanctity of treaties. Let us hope that that goal will be attained. It is only by the loyal application of the terms of the solemn Covenant which we have taken that we can safeguard the vital interests of each of our nations and of humanity as a whole, and that we can safeguard the honour of our governments and our peoples whether they be great or small.

Let me, however, still make a few remarks upon the situation. The question for us is not the question of a strife between Greece and Italy or between any other special countries. The question for us is a question of the principles of the League.

Let me therefore endeavour to trace out the broad lines of the big moral issues which, it seems to me, are involved in this crisis. First, there was the murder of the Italian officers on Greek territory, a crime about which all of us have expressed our deepest

horror, a crime which we all think ought to be punished as severely as possible. So far as all published information goes, the Greek Government has made very great amends, not only by formal ceremony but by depositing a large sum of money.

Secondly, measures have been taken by the death of twenty innocent people, and previously to any attempt at mediation or any published proof of the complicity of the Greek Government in the Janina crime. It was an act which I believe every Government regretted.

Thirdly, there was the transfer of the whole settlement of this question from the League of Nations, an organised permanent and impartial association of which all interested States are Members, and which works in the full light of publicity, to a temporary allied organisation which comprises only a few States and works by the old method. This is a matter that I cannot but regret. That transfer was undoubtedly legally correct, but in my judgment utterly undesirable. The time has come, it would seem to me, when the Great Powers should use the machinery which they have created at Geneva, and to which the small Powers have been invited, with so many promises, to give their adherence.

Fourthly, the final award of the Conference of Ambassadors of an indemnity of 50,000,000 lira against Greece seems utterly unjustified by any documents which have so far been published. It has been the understanding of world public opinion that the actual amount of the indemnity should be settled by the Permanent Court of International Justice, unless Greece failed in certain duties. No proof has been given to the world that Greece did so fail.

Those are the broad lines of the problem. I could not reconcile my own conscience if I did not express them publicly.

The President :

Translation : Will Dr. Nansen confine himself to the declaration of the Council, and not go through the whole history again?

Dr. Nansen :

I might say more, but my conscience would not allow me not to say these few words. (*Applause.*)

The President :

Translation : Professor Gilbert Murray, delegate of South Africa, will address the Assembly.

Professor Gilbert Murray (South Africa):—Mr. President, ladies and gentlemen—I could have wished that the Assembly might part this evening with the magnificent appeal made to us by Lord Robert Cecil and before him by M. Branting ringing in our ears. I think that it would have been best if we could have gone home simply bearing those words in our minds and weighing those questions in our hearts, but since it has been decided to continue the debate, there are just two remarks that I venture to add.

I accept entirely the description of this debate given by those two speakers. The League has always wanted the decision as to reparations in the Italian-Greek conflict, a judicial decision, to go to the Court which is a judicial body. I think that it is well to bear in mind the great danger there is in referring any essentially judicial question to an essentially political body and in having a question decided not on grounds that are judicial but on grounds of political expediency. Experience has shown us how grave the matter is.

As to the decision of the Conference of Ambassadors, I have only to say that I thank Heaven that this League bears no part nor lot in the responsibility for that decision. I only wish that I could add that no shred of the responsibility lay on the shoulders of the British Empire.

There is one point more. The fourth question formulated by the Jurists raises certain problems that may arise in future when States begin to take the law into their own hands without actually declaring war. Lives have been lost in the last few weeks.

I do think that it is necessary that we should say quite strongly and clearly that if, in future, innocent refugees or others who are in any sense under the protection of the League of Nations are killed in operations of this sort and if the League is not able to exact any reparation, any apology, if it even raises no protest against the killing of innocent people under its own protection, it will be exceedingly difficult for the League to live up to its great claim to be the champion of small nations and oppressed communities against the chicane and tyranny of the strong. *(Loud applause.)*

The President :

Translation : Prince Arfaed-Dovleh will address the Assembly.

Prince Arfaed-Dovleh (Persia) :

Translation : Mr. President, ladies and gentlemen—I desire to join in the regrets expressed by our colleagues M. Branting and Lord Robert Cecil who have made such clear and courageous statements.

The Permanent Court of International Justice at The Hague should not have been set aside.

As regards the indisputable competence of the League of Nations in international disputes, Persia has had no doubts in the matter. We still hold that the essential purpose of the creation of the League was that it should be able to intervene in international disputes. If, when disputes of this character arise, it is set aside, as the Permanent Court at The Hague has now been set aside in legal questions, what will be the use of these lofty institutions ?

At the opening of the present session we asked for instructions from our Government in regard to the recent incident. We received explicit instructions actively to uphold the principle of competence. Our duty here is to see that the guarantees of justice are safeguarded for all nations, great and small ; and we must fulfil our duty without hesitation. *(Applause.)*

The President :

Translation : M. Enckell, delegate of Finland, will address the Assembly.

M. Enckell (Finland) :

Translation : Mr. President, ladies and gentlemen—On behalf of the Finnish delegation, which represents a country sincerely attached to the principles of the League of Nations, and which sees therein an essential safeguard of its territorial integrity and political independence, I wish to say a few words in regard to the communication made by the President of the Council.

During the last few weeks public opinion in our country has followed the proceedings at Geneva with the keenest interest.

The doubts which have recently been expressed concerning the application of Article 15 of the Covenant—and the view taken by public opinion in Finland is that there can be no misunderstanding as to the interpretation of that article—have roused serious misgiving in our country—so serious that if this uneasiness persists, it will endanger the authority of the League of Nations and the confidence to which it is entitled.

Hence I welcome with satisfaction the declarations of the Council on this point, and I venture to hope that, after an exhaustive examination, conducted with all the necessary guarantees of impartiality and competence, the questions which have been raised, and which are of vital interest to all the Members of the League of

Nations, in particular, to the smaller States, will be settled by the Council in such a way as to strengthen the authority of the League of Nations throughout the world. *(Applause.)*

The President :

Translation : Mr. MacNeill, delegate of Ireland, will address the Assembly.

M. MacNeill (Ireland) :—The view of a delegation representing a nation which has so lately become a Member of the League of Nations as Ireland, may for that very reason be worth stating on a question that concerns the fundamentals of our common bond. May I recall to the Assembly the words and spirit of the address of my President on the occasion of Ireland's entrance into the League of Nations ? Those words were not spoken without advertence to the particular state of things which existed at the time and which preoccupied the minds of all the Assembly. They recognised that the means of ensuring international peace through the operation of the League are not yet perfect.

The chief anxiety in the minds of the participants in this Assembly has been, not lest a particular set of events should result in a particular rupture of peace, not that a solution might not be found for a particular difficulty, but lest the work to which we all had put our hands should be undone, and the hopes which so many nations had placed in this great effort of goodwill to establish the foundations of peace, should be brought to nothing.

I therefore concern myself not at all with the particular difficulty that has arisen nor with the particular award which has been made in that case. I hope, I believe, that I am stating the views of all present when I say that there is reassurance, real reassurance in the words of the statement presented to us by the President of the Council :

“The Members of the Council being in agreement that any dispute between Members of the League likely to lead to a rupture is within the sphere of action of the League.”

I hold that in these words there is reassurance and an easing of the situation which had arisen—and it was an anxious situation—and at this moment when our session is approaching its close, I think it is well that that particular sentence should be put on record.

There is only one other thing that I desire to say. The test of our desire for peace, the test of our sincerity, the test of our fidelity to the principles and the solemn engagements to which we have subscribed, must be held to be our willingness, our readiness when a rupture arises, to have recourse in the first instance to the means of settlement which the League of Nations can afford. *(Applause.)*

The President :

Translation : M. Zahle will address the Assembly.

(M. Zahle mounted the platform amidst the applause of the Assembly.)

M. Zahle (Denmark) :

Translation : Mr. President, ladies and gentlemen—The delegation of Denmark wishes to express its lively satisfaction in seeing that the crisis which has weighed so heavily upon this Assembly from the first day of its meeting until the day before yesterday has terminated without endangering the public peace.

All delegations assembled here are fully aware of the difficulties which had to be overcome, and

none of us has wished to complicate still further the task of the Council in dealing with a matter of such importance and complexity.

I do not wish to prolong the discussion. On behalf of the delegation of Denmark I must, however, inform you that we fully concur in the principles which have been upheld by the representative of Sweden in the discussion in the Council as well as in the declaration which he made from this platform to-day. (*Applause.*)

The President :

Translation : M. Urrutia will address the Assembly.

(*M. Urrutia mounted the platform amidst the applause of the Assembly.*)

M. Urrutia (Colombia) :

Translation : Mr. President, ladies and gentlemen—It appears from the interesting report which the President of the Council has circulated to the members of the Assembly, and which has just been read to us, that the Council has decided to submit to the Committee of Jurists a number of questions, among which is the following :

“In what circumstances and to what extent is the responsibility of a State involved by the commission of a political crime in its territory ?”

I think it my duty to declare before the Assembly that, whatever may be the opinion of the Committee of Jurists on this point, the Colombian delegation considers that it can in no way modify a doctrine which, I venture to affirm, is regarded by the American countries as almost a dogma—namely, that the responsibility of a State for a crime committed in its territory does not arise in respect of the crime itself, but only in respect of negligence or bad faith on the part of the State in the prosecution and punishment of such crimes in accordance with its laws and by the jurisdiction of its Courts.

In America this doctrine has been embodied in the laws of the States of that continent, in the treaties concluded by them with European States and in the decisions of the Pan-American Conferences. It thus constitutes an essential part of American international law.

I am confident that the opinion of the Jurists will be in agreement with the doctrine established in America. In any case, I felt that it was incumbent upon me to make this short declaration to the Assembly. (*Applause.*)

The President :

Translation : I call upon Jonkheer Loudon, delegate of the Netherlands, to address the Assembly.

(*Jonkheer Loudon mounted the platform amidst the applause of the Assembly.*)

Jonkheer Loudon (Netherlands) :

Translation : Mr. President, ladies and gentlemen—As delegate of the Netherlands, I will venture to add a few words to what has been said by the previous speakers.

It was with the keenest satisfaction that I heard the President of the Council state once more, however superfluous such reiteration may have seemed, that the Council unanimously recognised that any dispute arising between Members of the League of Nations, and likely to lead to a rupture, came within the League's sphere of action.

I entirely associate myself with the opinions expressed by M. Branting and Lord Robert Cecil. The better and more appropriate course would have been to submit these questions to the Permanent Court of International Justice, particularly as Article 14 of the Covenant specifically states that this Court “may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly”.

Nevertheless, an opinion by the Committee of Jurists may be useful, and I have no doubt that the Council will communicate its resolution to all Members of the League. This resolution, based on the advice of the jurists, will not necessarily constitute the final word in this question of international law, since in the last resort the interpretation of the Covenant is, as I am sure is the opinion of all us, within the competence of all the Members of the League. (*Loud applause.*)

The President :

Translation : H. H. the Maharajah of Nawanagar will address the Assembly.

The Maharajah of Nawanagar (India) :—Mr. President, ladies and gentlemen—The Indian delegation is much gratified to express its full approbation of the decision of the Council which it considers both conciliatory and wise and as worthy of the dignity of the League of Nations. I feel sure that this decision will have a reception in all the nations and amongst all the peoples worthy of its wisdom.

The Assembly rose at 8 p.m.

NINETEENTH PLENARY MEETING
Saturday, September 29th, 1923, at 10.a.m.

President: M. DE LA TORRIENTE Y PERAZA.

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85.— EPIDEMIC COMMISSION: REPORT OF
SECOND COMMITTEE: RESOLUTION.

The President :

Translation: The first item on the agenda is the report of the Second Committee on the work of the Epidemic Commission. (Annex 33 ; A. 127, 1923.)

I call upon the Maharajah of Nawanagar, Chairman of the Committee, and M. Adatci, Rapporteur, to take their places on the platform.

(The Maharajah of Nawanagar and M. Adatci took their places on the platform.)

The President :

Translation: M. Adatci, Rapporteur, will address the Assembly.

M. Adatci (Japan), Rapporteur, then read his report.

The President :

Translation: If there are no other speakers, I shall declare the discussion closed.

The discussion is closed.

The resolution is as follows :

The Assembly,

Having considered Dr. Norman White's report (Document C. 590. 1923) and the report of the Secretary-General forwarding to the Council the recommendations of the Health Committee submitted in accordance with the request of the Council formulated on August 31st, 1923 :

Pays tribute to the work of the Epidemic Commission and associates itself with the peoples whom the Commission has helped and protected, in expressing gratitude for the assistance given ;

Takes note that the work hitherto dependent upon volun-

tary contributions during a time of acute distress is likely to be arrested for lack of funds if the present decrease in the danger from epidemics should result in a diminution of contributions to an extent that made it impossible to provide urgent relief on the appearance of fresh epidemics ;
And recommends that the Council should, in case of need, study what resources could be placed at the disposal of the Health Organisation of the League of Nations to enable it to intervene immediately through the intermediary of its Epidemic Commissioners in the event of sudden epidemic outbreaks of exceptional importance which might involve political consequences.

(The resolution was unanimously adopted.)

86.—REDUCTION OF ARMAMENTS: REPORT OF
THIRD COMMITTEE: RESOLUTIONS.

The President :

Translation: The next item on the agenda is the report of the Third Committee on the Reduction of Armaments. (Annex 34 ; A. 111, 1923.)

I call upon M. Skirmunt, Chairman of the Third Committee and M. Benes, Rapporteur, to take their places on the platform.

(M. Skirmunt and M. Benes took their places on the platform.)

The President :

Translation: M. Benes will address the Assembly.

M. Benes (Czechoslovakia), Rapporteur :

Translation: Mr. President, ladies and gentlemen—The problem of the reduction of armaments is one of the most delicate tasks ever entrusted to the League of Nations. It is the more difficult because we have to approach it in peculiarly serious circumstances, after a world-wide war which has left behind it a disastrous heritage in the shape of material and moral difficulties, the like of which have rarely been experienced.

The problem itself is a peculiarly complex one, and affects the very heart of the political and social life of the League.

I beg to call your attention to the report which I have the honour to lay before you. It constitutes a summary of the work of the Third Committee, and in it I have given a detailed explanation of the various aspects of the work of the League with regard to the reduction of armaments. I should now like to make a few brief remarks upon this subject.

Article 8 of the Covenant stipulates that Members of the League shall pledge themselves to a progressive reduction of armaments and lays down the principles on which this reduction shall be effected. In pursuance

of this article the Council of the League has, during the last three years, taken certain very important steps. It has appointed the Permanent Advisory Commission and the Temporary Mixed Commission, and the latter laid some very full reports before the second and third Assemblies.

This year we have had again to deal with the results of the work of the Permanent Advisory Commission and of the Temporary Mixed Commission. It will be seen that considerable results have been achieved after three years' work, not only as regards the collection of documents and other material, but also by means of enquiries addressed to Governments and by discussions of the problem as a whole.

I am aware that there are sceptics who, not seeing—particularly in view of the present international situation—an immediate practical result of sufficient importance to impress public opinion, will endeavour to cast doubts upon the effectiveness of the action taken by the League in this matter.

The League has undertaken a two-fold task.

On the one hand, with a view to fulfilling the engagements of Article 8 of the Covenant, it has attacked the problem of disarmament as a whole, with the object of evolving a plan for the general reduction of armaments which might be adopted by all States. On the other hand, it has aimed at exploring every means and every avenue, great or small, which might facilitate the gradual realisation of this general plan, and in this way it has dealt also with questions which are virtually of secondary importance.

I will begin by dealing with this second category of questions; they are as follows:

1. The limitation of military expenditure.
2. Publication of statistics and information as to armaments.
3. Private manufacture of arms and control of the traffic in arms.
4. Chemical warfare and other questions of a similar nature.

As regards the first question, the Council and Assembly of the League have in past years recommended States Members of the League not to increase their expenditure on armaments above a certain limit. It is gratifying to note that several States have put this recommendation into practice.

The second duty was the preparation of statistics regarding the military forces of different countries and the exchange of information as to armaments. Several methods of dealing with this subject have been tried, a number of very interesting volumes have been published, and appreciable results have been attained. The League and public opinion are thereby able to keep themselves informed as to the state of armed forces, their system and their development. Such control obviously prevents States from embarking upon excessive and useless military expenditure.

With regard to the private manufacture of arms and the control of the traffic in arms, the League has met with very considerable obstacles. Members of the League have signed the Convention of Saint Germain regarding this matter, but the Convention unfortunately has not been ratified by all its signatories, and one task of the League will be to induce States to agree on an international convention settling this problem.

The fourth part of the work of the Committee deals with quite a new matter. The last great war enabled us to realise the disastrous effects and incalculable consequences of chemical and bacteriological warfare, and it is a matter of urgent necessity to take steps to cope with this danger.

It was regarded as particularly desirable that new inventions should be published, so that all nations should be kept informed of the numerous forms which this fresh and terrible scourge might assume, and so

take the necessary steps for defence against it. It was also desired that Members of the League should adhere to the Washington Treaty of 1922 relating to the use of asphyxiating gases, the use of submarines in time of war and other matters of a similar nature.

The fearful dangers of chemical and bacteriological warfare, the cynicism and brutality underlying the very idea of such a war, appear so appalling and repulsive to every person with any conception of human dignity that I believe it is right and necessary to seek by every means to abolish for ever the possibility of a fresh outbreak of chemical and bacteriological warfare. This form of war can only be carried on in defiance of every human instinct, and it must be banished for ever from the history of mankind. (*Applause.*)

I will not go into details with regard to the other interesting questions which fall in the same category, as the report before you gives sufficient explanations regarding them.

I will pass at once to the main question of the draft Treaty of Mutual Assistance, which in the opinion of the Third Committee may be considered as the principal work of the League in connection with the carrying out of the provisions of Article 8 of the Covenant.

The draft Treaty first of all solemnly affirms that aggressive war is an international crime and that the contracting parties pledge themselves not to commit that crime. We considered it advisable to repeat this great principle of the new international law, for the world-wide adoption of which the League of Nations is striving.

Another great principle underlying the draft Treaty is the idea of mutual guarantee between the contracting States. In every discussion on this principle in the various commissions during these last three years, it has been clear that a reduction of armaments can only be seriously contemplated when the Treaty of Disarmament is supplemented by clauses containing guarantees for States which disarm, and, further, that such a treaty must be a general one. Nevertheless, certain members of the Third Committee opposed this provision, invoking the terms of the Covenant itself, pointing to the undeniable fact that the States which had signed the Covenant have agreed to a reduction of armaments without any question of a guarantee.

We are of opinion that the discussions within the League of Nations during the last three years have clearly proved that progress in the matter of disarmament would be difficult without the principle of guarantees. The necessities of everyday practical politics and the present international situation, which must still be considered as the aftermath of the greatest catastrophe the world has ever known, are such that we cannot blind ourselves to this fact.

The principle which completes and at the same time depends on the main idea of disarmament is the guarantee of security given to States in exchange for the adoption of a plan for the reduction of armaments. The idea of the necessity of a guarantee has led several States to say: "We will reduce our armaments on condition that, if we are attacked, all the other States that have agreed to the Treaty will come to our assistance".

I wish to emphasise the important fact that, by following out this argument with regard to a guarantee, we shall be in a better position to understand the idea of the so-called partial defensive treaties.

Certain States have remarked that the setting into motion of the great international machinery established by the general treaty under the direction of the Council of the League may easily take some considerable time, and that a case might occur in which the Council could not determine who was the aggressor; for this reason they considered that there should be added to

the general guarantee a special guarantee such as will be found in the partial defensive treaties.

The States in question are those which, while not denying the great moral and political value of a general guarantee, have for various reasons (geographical situation or special political circumstances) laid great stress on the danger they would incur by reducing their armaments in return for a general guarantee of assistance, the technical preparedness, rapidity and effectiveness of which would be a matter of doubt.

The inclusion of this idea in the general plan of the Treaty of Guarantee gave rise to objections, based on the fear that the old system of alliances which had proved so dangerous to the life of Europe might be restored. The adversaries of partial treaties argued that the very existence of such treaties implies suspicion and mistrust of one particular State or group of States. The existence of a group of States would naturally argue the creation of a rival defensive agreement, and the existence of these two rival groups would lead to competition in armaments, or at any rate to the creation of a situation of political tension offering grave dangers.

In spite of this serious objection, we felt it our duty, for the practical reasons given above, and for many others based on the necessities of daily political practice, to retain in our draft the system of complementary defensive agreements. But we agree that the general guarantee should not be granted in the case of partial treaties unless such treaties are recognised by the Council as not being contrary to the spirit of the Covenant and as being within the scope of the general Treaty of Mutual Assistance.

For that purpose partial treaties must be registered with the League and published by it. In admitting these defensive agreements into the framework of the treaty, the Committee was strongly influenced by the fact that some partial treaties were already in existence, and that the right of every State to make them is recognised under certain conditions by the Covenant; further, the system of the admission by the Council of agreements complementary to the general treaty merely involved the incorporation of these treaties under the guarantee of the Council into a general system of mutual assistance and disarmament, and, lastly, it would be preferable to have these partial treaties published and placed under control rather than risk the conclusion of secret treaties which might be a constant menace to the peace of the world.

The report before you deals with other important principles on which the draft Treaty is based. For instance, the draft defines the special situation of countries, the military forces of which are subject to conditions of the Treaties of Peace, but it of course in no way modifies their juridical position. It contains special provisions in regard to those countries on the one hand which have to some extent already disarmed, and, on the other hand, in regard to countries which may wish to reserve the possibility of accepting the principle of the reduction of armaments without themselves fully accepting the principle of guarantees.

No one can realise better than the Rapporteur and his colleagues on the Committee the imperfections of this Treaty of Mutual Assistance. The text as it stands reflects both the special problems of the moment and the general difficulties inherent in a work of such complexity. Discussions in Committee have revealed inevitable divergencies of view.

The Committee was of opinion that, although it was at present impossible to recommend to the Governments the immediate adoption of the text in question, it none the less represents, in view of present circumstances, a step forward on the difficult path of armament reduction.

The Committee therefore considers that the draft

should be sent in its present form to the Governments which should be requested to express their views as soon as possible. These opinions would then provide material for the work of the Temporary Mixed Commission and the Council, pending the next Assembly.

This, therefore, is the substance of the resolution which we are recommending to the Assembly for adoption.

The Council, and those of its organisations which are responsible for the work of disarmament, as well as the various Governments, will thus be in a position to carry out the preliminary work requisite for drawing up—in accordance with the provisions of the Covenant—the general plan for the reduction of armaments which is to enter into force two years after its adoption by the States.

The road, as we know, is long. The problem is so difficult and serious, that, in my opinion, the progress which we have achieved so far may already be regarded as tantamount to success.

I would ask your permission to add a few general remarks to this survey of the three years work on disarmament which the League of Nations has accomplished.

The difficulties in the way of realising the great ideal which underlies the League of Nations are the same as those which are doubly felt, so to speak, in respect of the question of the reduction of armaments.

The chief aim of the League of Nations is the maintenance of peace and the settlement by peaceful means of any disputes which may arise. The League is based on the great principles of the equality of nations before the law and of absolute respect for the State and the nation as a legal entity. In other words, just as the French Revolution, which stands for the coming of modern democracy, proclaimed the rights of man and the rights of citizens, so the League of Nations to-day, after the great world war, proclaims the rights of States and nations. Thus the League is the symbol of the principle of international democracy, of democracy among nations, and is *ipso facto* an attempt to introduce into international relations the principles and the methods employed in democratic States and in the mutual relations of private individuals.

In democratic States, no individual has the right to take the law into his own hands; in the new world as conceived and established by the Covenant of the League, no nation should take the law into its own hands. No individual has the right to resort to violence in defence of his rights, save in legitimate defence of his life; no nation should have recourse to violence, but should increasingly make use of international pacific institutions.

These democratic principles are, it appears to me, more extensively applied in the relations between individuals within States than in international relations; respect for the dignity of the human personality is infinitely further advanced in the moral conceptions of our day than respect for the dignity of a nation's moral personality. It appears to me also that respect for the given word and for written or moral engagements, the principles of honesty and loyalty, are still frequently conspicuous by their absence from international relations, and that the employment of force is extenuated with greater readiness when the important interests of any one nation are at stake.

The great task of the League of Nations is, to my mind, to make more humane the relations between State and State, between nation and nation, just as we all recognise it to be our sacred duty to be humane in our everyday relations one to another. Internationally we have not yet reached the moral standard to which we aspire, for every day we are witnesses of controversies in which those principles which form the fundamental ideal of the League are not respected.

This is the great moral problem which confronts us when we examine closely the question of disarmament in all its branches and complications. This problem is the very essence of the lofty conception embodied in the League; it is not a question merely of destroying so much material, of abolishing a given quantity of armaments, munitions and effectives, but there is the further question of the extent to which a nation may rely on the inviolability and security of its moral personality and the material manifestations of that personality, just as in a well-organised modern State the individual can rely on the inviolability of his person. It is also a question of the extent to which a nation can count on the certainty of obtaining at least a reasonable amount of justice in international discussions, just as an individual should be able to count on obtaining justice in the courts of a democratic State; of how far a nation can rely on its conceptions of international human morality being shared by other nations, just as the citizen of a modern State is assured that his own moral conceptions are identical with those of the great majority of his fellow-citizens.

Consequently the whole problem of the reduction of armaments has invariably been summed up, in the course of our discussions, in the following simple phrases:

“We cannot reduce our armaments because we cannot count upon either our security or our inviolability, because we are not certain that we shall obtain justice otherwise than by the employment of force in our own defence, because we place no confidence in our neighbours, whose moral conceptions differ from our own and who may therefore attack us. Give us this certainty, give us this guarantee, and the work of disarmament will begin.”

This is the form in which the problem of disarmament presents itself—not in the idealised form of mere material disarmament divorced from any other process, but in the form of a compromise; a guarantee of security and immediate assistance, to be followed by a reduction of armaments, or both processes conducted simultaneously. The same principle of compromise is exhibited in the acceptance of partial treaties, which in some sort represent a double guarantee. The principle of partial treaties signifies, above all, defence against the policy of the *fait accompli*, and you all well know what a formidable part is played by the *fait accompli* in international relations to-day.

Having stated the principle in this form, we appear to have entered a vicious circle in regard to the idea of the reduction of armaments—a vicious circle from which there is no escape. We may well wonder whether in these circumstances we are not bound to be pessimistic, or at least sceptical as to the possibility of disarmament. In all our discussions we have adjusted the balance between the conceptions of an uncompromising idealism and conceptions dictated by the practical necessities of everyday politics. We frankly made for compromise knowing that our work would none the less be of considerable service to the cause of the League.

Even the League of Nations cannot stand aside from the terrible conflict between ideals and the stark facts of everyday life. Recent events, under the shadow of which we have spent so many anxious moments, have once more demonstrated this truth.

In its essence, this struggle for the reduction of armaments appears to me to present the same problem as that which we have had before us in the course of the last few days during the discussions on the disputed question of competence.

During the passage of these events I saw a wave of pessimism regarding the League of Nations pass over Geneva. The wisdom of the Council, on which we all congratulated ourselves yesterday, has, I am convinced, dispelled this pessimism, for the Council has shown us that, while taking account of the practical

necessities of daily life, it is yet possible to safeguard great principles and great ideals, by defending them with dignity and moderation and by holding on high the standard of the League of Nations.

I have also seen this wave of pessimism pass through our Committee in the course of our debates on the reduction of armaments. I did not then, and I do not now, share this pessimism. The great attraction, the charm, the force of an ideal lies in the fact that it can only be attained with difficulty, in the midst of disillusionment followed in its turn by success, and that it leads in man to the development of the great moral qualities of energy and strength of will.

The difficulties which have arisen out of our disputes during the fourth Assembly, the doubts which beset us in our fight for disarmament, can but incite us to persevere in our task with greater energy and strength. As Lord Robert Cecil said yesterday, these difficulties will serve as an experience, as a great lesson to us in the pursuit of our ideal and in our future work.

The question of the reduction of armaments is one of the most difficult before the League of Nations to-day. It may be said to be essential to the existence of the League of Nations. Under the provisions of the Covenant it is one of the essential tasks of the League, and it is one of the fundamental and solemn engagements to which we have given our signature under the Covenant. If the League does not succeed in this work it will fail, and with it each one of us will fail, in one of its great undertakings and we shall thereby be violating the Covenant.

I am persuaded that we shall not be guilty of this offence. It is self-evident that we shall be constrained to compromise still further, but so long as there are men who, while taking account of the practical realities of the moment, know how to safeguard essential principles and who possess energy, steadfast will, and immutable faith in the great principles of the League, then, despite the painful disillusionments of the present moment, even so difficult a task as this is not beyond the possibility of realisation. It is my firm conviction that the work which the Third Committee has done in regard to disarmament, imperfect as it is, nevertheless constitutes a considerable advance towards the realisation of this task, and it is in this spirit that I recommend it to the favourable attention of the fourth Assembly.

We may leave Geneva with the profound conviction that the struggle between ideals and the realities of present politics is a cruel and a ruthless one, but that during the forthcoming years, which, despite the present international situation, may yet have great surprises in store for us, we shall carry on the struggle with renewed energy and with an unshaken faith in the ideals underlying the League of Nations. (*Loud applause.*)

The President:

Translation: M. Skirmunt, Chairman of the Third Committee will address the Assembly.

M. Skirmunt (Poland), Chairman of the Third Committee:

Translation: Ladies and gentlemen—I wish to say a few words only in support of the proposals of the Rapporteur. The work which you have before you is the expression of a great idea and a great sentiment. Ideas and sentiments are realities in the life of nations; they are an active force, often more powerful than dollars or guns. The Polish nation, once more restored to life, is a living testimony to this truth.

Nations do not live by bread alone, but by faith and hope. This hope is given them in the draft Treaty of Mutual Assistance, and it must not prove a vain hope. The draft is perhaps imperfect; it will undergo

many modifications; but it marks a stage on the road leading to a happier future. The work which remains to be done must be completed, and it will lead us to our goal if it is carried out in the various countries, not in a spirit of national egoism, but with the sense of that true patriotism which is the vital spark of the nations, with the sense of human solidarity which is the living spirit and essence of the League of Nations.

In conclusion, I wish to express the hope that next year, when the fifth Assembly disperses, the Treaty of Mutual Assistance will have been signed. (*Loud applause*).

The President :

Translation : M. Lebrun, delegate of France, will address the Assembly.

(*M. Lebrun mounted the platform amidst the applause of the Assembly.*)

M. Lebrun (France):

Translation : Mr. President, ladies and gentlemen—With that special persuasiveness which is due to his practical knowledge of the subject on which he has just spoken, M. Benes has explained to us in lucid and, to my mind, convincing terms the draft Treaty of Mutual Assistance for the reduction of armaments, which has been drawn up by the Third Committee.

He was followed by M. Skirmunt, who, with the authority which devolves upon him as Chairman of the Committee, recommends the adoption of the proposed resolutions. I am convinced that I shall be voicing the feelings of you all in offering our thanks and congratulations to our esteemed Chairman and Rapporteur for the valuable assistance which they have given towards the work of the reduction of armaments. (*Applause.*)

May I, too, beg leave to explain in a few words the share in the preparation of the draft taken by France, who is anxious to carry out as far possible her obligations under the Covenant, and also to state the reservations which, though few in number, she feels bound to make in regard to the text before you.

You will no doubt remember—M. Benes referred to the point—the important and, at times, tense debates which took place last year in the Third Committee and in the Assembly, where we listened, amongst others, to the eloquent speeches of Lord Robert Cecil and M. de Jouvenel, the echo of whose voices still seems, if I may say so, to linger in this hall to-day.

The discussions to which I refer resulted in your passing the celebrated Resolution No. XIV, which was published and discussed at length by the press of the whole world. Resolution No. XIV laid, so to speak, the foundations of the edifice, the construction of which, even to the highest pinnacle, was entrusted in the interval between the two Assemblies to the Temporary Mixed Commission for the Reduction of Armaments.

The principle laid down in Resolution No. XIV was very general, and required further definition as to its consequences from a twofold point of view. First, as regards the technical standpoint. It was obvious that, as the subject in hand gave rise in all its aspects to a series of military, naval and air questions, the logical course was to obtain the opinion of technical experts; this opinion was given by the Permanent Advisory Commission referred to in Article 9 of the Covenant. Secondly, there is the political point of view. As the draft Treaty could not be regarded as final until it had received the unreserved assent of the Governments, it was natural that the latter should be requested for an opinion on the principles contained in Resolution No. XIV.

The French delegates have, in full agreement with their national military authorities, worked unceasingly and whole-heartedly in the preparation of the keenly discussed resolutions of the Permanent Advisory Com-

mission, which, if I may say so without indiscretion, I would advise my colleagues to study at their leisure during the coming winter; great application and an immense amount of work and knowledge have been expended on them.

The French delegates did not, however, merely assist in the drawing up of the conclusions of the Permanent Advisory Commission; they also endeavoured to make their contribution to the construction of that edifice, the building of which was entrusted to the Temporary Mixed Commission.

At its February session the Temporary Mixed Commission had before it a first draft by Lord Robert Cecil, of whom I should like to say—merely to pay tribute to the truth—that he has been the indefatigable moving spirit in this matter, and that he will be regarded by history as entitled to a very large share of the praise due for the practical results which will, I hope, one day be attained by our endeavours.

The Temporary Mixed Commission later considered another scheme for mutual assistance submitted by Colonel Réquin, in which the author made a meritorious and well-intentioned endeavour, worthy of special note, to put into precise words the principles which the Permanent Advisory Commission regarded as the essential foundation of any genuine scheme for mutual assistance.

The draft which was finally adopted by the Third Committee, and which is now before you in M. Benes' report, was prepared by the Temporary Mixed Commission in the course of many long meetings—of which I should have liked in all fairness to have spoken at greater length—by reconciling and combining the essential points contained in Lord Robert Cecil's and Colonel Réquin's drafts.

With regard to the enquiry which the Assembly requested the Governments to undertake—and which, I might mention in passing, was not particularly exhaustive, seeing that, out of the 52 States to which the Acting-President of the Council addressed the enquiry, only 26 States have sent answers—France felt it her duty to state her opinion clearly and precisely, without disguising any of the difficulties involved in the work.

In such a matter we must not be content with a vague and formless statement, nor should we strive towards an ideal too far removed from the realities of life. To hope that Governments responsible for the safety of their peoples would be able to undertake a reduction of armaments on a large scale, without receiving, in some cases at least, precise and clearly defined guarantees, would be to fall into the error of utopianism. It would be a serious mistake to pursue a chimera, as was aptly said by M. de Jouvenel last year, or to leave an ambiguously worded text with a consequent uncertainty as to the duties involved.

After examining the first proposal, the so-called general treaty, the French Government considers that the conclusion of such a treaty would undoubtedly be a great factor in the promotion of world peace; but that the treaty alone would only offer inadequate, uncertain and indefinite securities, which would not be calculated to bring about a speedier or more extensive reduction of armaments than that which the majority of the Governments have undertaken on their own initiative since the conclusion of hostilities.

Last year, in reply to the enquiry with regard to the needs of their national security, various Governments communicated statements to the League as to the reductions which they foreshadowed; France, by passing a law reducing the period of military service by one half, has actually been able to effect a greater reduction of armaments than that anticipated in her reply to the League.

Passing to the consideration of the second proposal, the so-called partial treaties or complementary

agreements, France has declared her opinion that assistance provided for by very precisely worded conventions between different States exposed to one or more common dangers will allow of some reduction of armaments.

France considers that neither of these methods should be adopted to the exclusion of the other, but that the best solution would be, as M. Benes has stated, to combine in a general convention the two forms of mutual assistance which correspond with the different situations of the various States.

There are some States which, by virtue of their remote situation, of the existence of a well-defined natural frontier, of their insular position, or of other geographical or historical conditions, need have no fear of an immediate invasion of their territory in the event of a dispute, and they are, consequently, able to regard without alarm the inevitable delay in the arrival of the assistance provided for by the general treaty. On the other hand, there are other States the situation of which is more precarious—States which, as M. Hymans explained here last year in such moving terms when speaking of his own country, are shown by a glance at the map to have been the cock-pits of the armed forces of the world. It is essential that we should be able to give such countries as these a more effective and more practical measure of assistance, namely, that for which provision was made in Resolution No. XIV in the passage referring to "immediate and effective assistance in accordance with a prearranged plan".

In any case, the draft taken as a whole, in the form in which it has been prepared by the Third Committee, is sufficiently inspired by the principles which the French Government set forth in its various consultations and opinions for us to have been able in the Committee to give our general adhesion to it on the eve of its being sent to the various Governments for their opinion, subject, however, to a few reservations, which I will briefly outline in passing.

Our first reservation relates to the possible adhesion to the Treaty of States which are not Members of the League. The Treaty of Mutual Assistance is certainly distinct from the Covenant, but is nevertheless closely bound up with certain of its provisions, in particular with Articles 8, 10 and 16. The Treaty confers on the Council of the League powers of such importance that, in our view, it is really neither desirable nor possible that a State which is not a Member of the League of Nations should be able to adhere to the Treaty of Mutual Assistance without having first given effective guarantees of its sincere intention to observe its international engagements, thereby furnishing proof of the mutual confidence which the signatories to a Treaty of Mutual Assistance must necessarily repose in one another.

Similarly Article 7 of the draft Treaty regarding the general conditions which govern complementary agreements, and Article 17 concerning partial adhesion to the Treaty, are drafted in terms which are too vague, and which therefore require further definition.

Such was the attitude of France during this discussion. To put it in a few words: France is obliged to regard this question from the point of view of practical politics, a sphere which is not yet free from feelings of anxiety and mistrust—feelings which are the natural and, alas, the almost necessary consequences of the war. She is not, however, deaf to the idealistic aspirations which call us towards a future of peace and concord, and she has spared no effort to co-operate in the preparation of a scheme which is adapted to the present situation, which is in conformity with the present needs of the various countries and which may very possibly be transformed, when the general situation has improved and when the League has been strengthened into a scheme which may be still nearer to the ideal,

and which will eventually, in a more disarmed world, form a rampart for the final peace to which all mankind is eagerly looking forward. (Loud applause.)

The President :

Translation: Jonkheer Loudon, delegate of the Netherlands, will address the Assembly.

Jonkheer Loudon (Netherlands) :

Translation: Mr. President, ladies and gentlemen—I have a thankless task to perform, but I will not evade it, in spite of the scruples I feel in damping an enthusiasm for which I have the greatest respect.

I am full of admiration for the indefatigable efforts of the authors of the draft Treaty which is before you, and above all for the efforts made by that valiant champion of peace among nations—Lord Robert Cecil who, I regret to find, is not present amongst us owing to indisposition.

I could quite well abstain from speaking, since the draft resolution upon which we are asked to vote merely suggests that the draft Treaty prepared by the Third Committee, upon which the Assembly will take no vote, shall be submitted to our Governments for consideration.

I have no objection to recording my vote in favour of this resolution, which establishes no final scheme, and is in no way binding upon our Governments. Nevertheless, I should be lacking in that frankness which is so necessary for our discussions, and for which no one of you, I am convinced, will reproach me, if I did not state in a few words why I consider that this draft Treaty would by no means lead to that reduction of armaments which is the chief duty of the States which have signed the Covenant, and why I even consider that some of its provisions would make such a reduction more remote.

I also wish to state why, in my opinion, it would be difficult for a Government such as mine to subscribe to the draft Treaty at the present moment and in its present form.

The draft Treaty aims at establishing the basis of an organisation of mutual assistance in order to ensure the reduction of armaments: it rightly declares that any war undertaken before the means prescribed by the Covenant for avoiding it have been exhausted is a crime; in order to render possible a reduction of armaments it requires the States to undertake to assist any one of them which, after having reduced its armaments, is the object of an act of aggression.

As regards the question of determining who is the aggressor and, consequently, of determining what is aggression, the signatories unreservedly undertake to submit to the decision of the Council, which must be taken within a period of four days.

It is evident that in the great majority of cases the Council, even if it should happen to be assembled at that moment—which is very uncertain—would not have at its disposal the necessary documents for settling in so short a time a question which is so extremely subtle and complicated, as has already been shown in the commentary regarding the definition of the term aggression which has been submitted to us by the Temporary Mixed Commission.

Further, the Council's decision will be absolutely binding upon all signatory States. In other words, the the question of the interpretation which so many Powers hesitate to give to Article 10 of the Covenant—as was shown once more by one of our recent debates—would, by the adoption of the draft, be settled in the sense that the signatories would no longer be free to pronounce their opinion as to the existence of the *casus foederis*. States would have no option but to accept the situation and go to war with the Power which had been declared the aggressor.

Our friend M. Rolin, the skilful jurist, expressed the matter most succinctly the other day as follows: "In this draft Treaty of Mutual Assistance, the Members of the League are actually requested to *renounce* a part of their sovereignty in favour of the Council, to *pledge* themselves to accept its *decision* both in the matter of determining whether or no there has been aggression and in deciding whether military forces shall be sent." By adopting this draft, the signatories would renounce the sovereign right which, as M. Rolin said, they had hoped to retain by reserving their right to decide whether the obligation to bring assistance involves military assistance.

In this connection I venture to recall—for in my view too little importance is attached to our resolutions—the resolution unanimously adopted in 1921, which states, with regard to the interpretation of Article 16, that it is for the various States Members of the League to decide whether the Covenant has been violated. Further, in the case of several countries, including my own, whose constitution, recently altered on this point, formally prohibits any declaration of war without consent of Parliament, I doubt whether Parliament would agree to a draft Treaty which would in the future deprive it of the constitutional right of deciding in each instance as it occurs whether the Government may or may not declare war.

The Treaty further provides, under Article 3, in conjunction with Article 5, that even when there is only a threat of aggression—a case which would be exceedingly difficult to determine—the Council can impose the application of the economic sanctions contemplated in Article 16 of the Covenant, and also any measures it may consider necessary to secure priority of transport of troops connected with the military operations. I say "impose", because the signatory States *undertake* beforehand to put all the recommendations of the Council into execution. It is therefore no longer a matter of *recommendation*, as provided for by Article 16 of the Covenant, but of an actual decision contrary to the very terms of the Covenant.

The objection to which I have just drawn attention would perhaps be met if somebody beyond the reach of political influence could be substituted for the Council. That day, however, appears to me to be still far distant. These objections will also be less evident as soon as the League of Nations has become universal, as we all hope it will.

Articles 6, 7, and 8 of the draft Treaty deal with a supplementary guarantee, that of special agreements between two or more States, the principal aim of which would be automatic action, that is to say, action taken on the decision of the contracting parties and without the intervention of the Council, in accordance with a scheme for military and financial assistance, to be drawn up beforehand to meet the contingency of one of the signatories to these agreements becoming a victim to aggression.

These agreements are, it is true, subject to preliminary examination by the Council, but it would of course be impossible to communicate military plans in full detail. The agreements would, when required, be put into execution without any intervention on the part of the Council. On the other hand, the Council is to decide within four days, not to what extent, but whether or not, all the other States signatories of the Treaty of General Guarantee shall go to war. They are to be compelled, on a mere order from the Council, a political organ which would thus become paramount, to lend their assistance perhaps to the very group of States, which, bound together by a partial agreement, may have caused the war.

I would incidentally draw your attention to the fact that, under Article 4 of the draft Treaty, the States involved, and more especially all those forming a group bound by a supplementary agreement, would no longer vote. In that case it might happen that the

unanimous vote of the Council might quite conceivably be not that of the ten members but of one or two members only. But then, what would happen if the Council, after the automatic outbreak of war, happened to conclude, within the four days laid down, that the assumed aggressor was not in fact the aggressor, but the victim.

We all know that agreements for mutual assistance exist between certain States at the present moment. M. Benes placed that fact on record the other day in the most pointed terms, and I state it without wishing to criticise it. The fault I have to find with the draft Treaty before us is that it expands such agreements into a dogmatic principle. This is equivalent to making them the quintessence of the draft Treaty. It creates the false impression that by this means we shall succeed in reducing armaments—an impression which, unless I am mistaken—is shared by very few general staffs, as is proved by the opinion of the Spanish, Italian and Japanese representatives on the Permanent Advisory Commission.

Moreover, in spite of certain questions raised in the Third Committee, we are still in ignorance as to whether Article 2 of the draft Treaty, that is to say, the obligation of a State to reduce its armaments as a preliminary measure, applies to States signatories to a partial agreement. There are other articles too, such as Article 18, which do not enforce a reduction until the guarantees become operative; and when the Netherlands delegation proposed an amendment containing, with reference to the plan for the reduction of armaments provided for under Article 11, an explicit stipulation that the carrying out of this plan should be the indispensable condition for obtaining the assistance provided for, the amendment was rejected.

Under these circumstances I cannot help wondering in what way it is proposed to put into practice the great principle of the reduction of armaments, which is to be the main object of the draft Treaty of Mutual Assistance, as was clearly stated in paragraph 4 of Resolution XIV adopted last year.

I will not go further into the details of the scheme which has been so fully discussed in the Third Committee.

As the Rapporteur stated, the objections to partial agreements are due to the apprehension of finding established under this name the old system of alliances, which awakens distrust, is liable to create dangerous political tension and has therefore become extremely dangerous to Europe.

The Rapporteur pointed out the serious nature of this objection, and added that certain delegations have withdrawn their opposition, solely because these supplementary defensive agreements would be constantly subject to control by the Council and by public opinion.

I am extremely doubtful whether such control would be adequate. As to the consideration that these partial agreements are already in existence, I cannot recognise this as a valid argument for sanctioning them in a new international pact intended to effect disarmament. A pact relating to these agreements would certainly not, in my judgment, bring about the moral disarmament which we recognise as the chief factor necessary for the peace of the world.

It is highly regrettable that the Third Committee was pressed for time, in view of the close of our session, and accordingly did not give to the very important opinion of the jurists, to which the Rapporteur has referred, the attention it deserves. This opinion will, however, be submitted to our Governments. It is to be hoped that the twenty-seven Governments—among them that of Great Britain—which have not yet expressed their views, will shortly comply with the Assembly's recommendation on the matter.

Is the text before us really a step forward along the difficult path towards the reduction of armaments, as

our Rapporteur has stated? I can hardly say so yet; but I am convinced that the laudable efforts of the authors of this draft Treaty, and the debates which have taken place on the matter, are leading us in the right direction; I am, moreover, convinced that these efforts will, in the face of public opinion which is eagerly watching events, place our Governments under the necessity of devoting careful and unremitting consideration to the problem of disarmament.

The perseverance with which this methodical work has been carried out constitutes, as M. Benes has justly remarked, a moral force favourable to that spirit of concord which is a necessary condition for any work on behalf of disarmament.

Let us beware of the feverish desire to achieve immediate results. Rome was not built in a day. The great problem of disarmament requires time to ripen.

Let our Governments and public opinion in our countries realise, in the meanwhile, that the Covenant provides juridical guarantees which could not be better assured than by the great Powers agreeing to apply them fully and unhesitatingly (*Loud and prolonged applause.*)

The President :

Translation: M. Lange, delegate of Norway, will address the Assembly.

(*M. Lange mounted the platform amidst the applause of the Assembly.*)

M. Lange (Norway) :

Translation: Mr. President, ladies and gentlemen—I am very glad to be able to announce that the Norwegian delegation will vote in favour of all the proposals of the Third Committee.

I desire to associate myself with the tribute paid by previous speakers to our eminent Rapporteur, who, in his exhaustive and fully documented statement, has summarised in clear and precise language the various opinions expressed by the members of the Third Committee.

I am particularly grateful to M. Benes for having laid stress, in the second part of his report, on the work of the League in connection with the proposals of a definitively constructive and positive nature for the reduction of armaments.

I will not discuss at length the various questions dealt with in the second part of the report. I would merely draw your attention to the importance of the questions relating on the one hand to the private manufacture of arms and the control of the traffic in arms, and on the other hand, to the limitation of national expenditure on armaments.

In my opinion it is evident—and this is the second point on which I particularly wish to lay stress—that the problem of disarmament is a complex one, in solving which we have to take into account economic and financial considerations, not merely of different kinds, but also, in a word, of a social character.

For this reason I attach the greatest importance to the resolution concerning the continuation in office of the Temporary Mixed Commission.

The third paragraph of this draft resolution requests the Council to make plans for the future organisation of the work of the League. May I be allowed in passing to observe that, if the Council of the League desires, upon the conclusion of the work of the Temporary Mixed Commission, to obtain full guarantees, and to ensure that the work will in future be carried on with all the seriousness required by indispensable preparatory work, it will have to re-organise the Permanent Advisory Commission which up till now has been exclusively military in character?

I now pass to the first part of the report—that dealing with the draft Treaty of Mutual Assistance—which received special consideration by the Third

Committee. In view of the remarkable speech made by the eminent delegate of the Netherlands, to which we have just listened, with its searching criticisms of the draft as it now stands, it is, I think, unnecessary to enter into details. The important point, in my mind, is to remember that this draft Treaty of Mutual Assistance can only be of interest to certain States, it is only part of the work of the League of Nations in connection with the reduction of armaments.

This idea of military assistance, with a view to obtaining a reduction of armaments, must, so to speak, be fitted into a general scheme. It must not be thought that that is the only way in which we can achieve our aim, disarmament.

In the discussions which took place in the Third Committee, the various delegates expressed above all the views of their own countries. It seems to me to be still more important that the problem should be examined from the point of view of the League itself.

M. Lebrun said, in the course of our debates—and our Rapporteur has repeated this striking remark—that the scheme for mutual assistance constitutes an extension of the Covenant. That is correct, but it is of greater importance that this extension of the Covenant should be in conformity with the general spirit of the Covenant.

This is the point of view from which certain delegations, including the Norwegian delegation, criticised the draft submitted to us. Though it is true that the Covenant does not exclude recourse to the material means of force and coercion, it does, nevertheless, by Article 16, place force at the service of right.

The Covenant is, above all designed to further the development of legal and moral principles. In our opinion the development of material military and economic means of action must be accompanied *pari passu* by the evolution of these principles.

The reply given us was that the security of individual States must be taken into account. Can that security really be obtained by the use of the material means of force? Is there not in that view a mistaken idea as to the efficacy of the external means of force and coercion? I would ask you to consider the character of modern warfare, and of the chemical or even bacteriological warfare to which M. Benes refers in his report.

That warfare, the warfare of the future, will, as has been pointed out, be carried deeply into a country; it will be warfare not only against the armed forces of the opposing State but also, and perhaps especially, against the whole of the enemy nation.

From that undeniable fact I will draw one conclusion only: namely, that modern armaments are a means of attack and a means of intimidation. They have ceased to be a means of defence in the real sense of the word, and, consequently, they have also ceased to be a means of security.

This is the point of view which is adopted in the Covenant, in Article 8, which requires the reduction of armaments. It is a corollary to the obligations undertaken by States; it is, moreover, a condition of the submission of States—even the more powerful States—to the social axiom referred to by our Rapporteur, that no one has the right to take the law into his own hands.

This great aim must never be forgotten, and if, in the scheme for mutual assistance the element of external force has been over accentuated, that is the chief reason why several of the delegations hesitated at the end of the discussion in the Committee to vote in favour of the draft Treaty.

There were radical divergences of view among the members of the Third Committee, and those divergences came to light in the various votes which were taken. It will not, I trust, be forgotten that, in this international discussion of so important a question, those who were

unable to vote in favour of the scheme as a whole are perhaps the sincerest friends of the principle of the reduction of armaments. (*Applause.*)

The President :

Translation : M. Urrutia, delegate of Colombia, will address the Assembly.

(*M. Urrutia gouted the platform amidst the applause of the Assembly.*)

M. Urrutia (Colombia) :

Translation : Mr. President, ladies and gentlemen—As a member of the Temporary Mixed Commission for the Reduction of Armaments, I have been able to follow the laborious efforts which have resulted in the framing of the draft Treaty of Mutual Guarantee, which has been considered by the Third Committee and submitted to you after a lengthy debate.

We have in the last few days seen the replies sent by the Governments to the Secretariat on the first draft of this Treaty; many of these replies, as well as some of the speeches made before the Third Committee, emphasise the great importance and significance attributed by the conscience of the world to the problem of moral disarmament, both from the point of view of the reduction of armaments and from other points of view connected with peace throughout the world.

This was proclaimed at the third Assembly, at the instance of the French delegation, when it was solemnly affirmed that material disarmament must be preceded by moral disarmament, which in turn could only be attained and realised in an atmosphere of security and mutual confidence.

The same declaration was also made at the second Peace Conference by that apostle of international justice, M. Léon Bourgeois, who said: "Limitation of armaments will be a consequence and not a preparatory step."

The question of the reduction of armaments is therefore, above all, a question of a moral and political nature, and anything which can be achieved in this sphere with a view to ensuring mutual confidence between nations tends logically towards the concrete and practical solution of the problem of disarmament.

The draft Treaty, the text of which is submitted to us, constitutes a great step in this direction, inasmuch as it proclaims, in its first words, that a war of aggression is an international crime, and as it affirms the solidarity of the signatory States in the duty of furnishing assistance to any one of them which may be a victim of aggression.

From the point of view of moral disarmament, great progress has been realised by the League of Nations in the creation of the Permanent Court of International Justice; but we must recognise that the full benefits expected from this institution can only be realised if obligatory jurisdiction is conferred upon it—at any rate in certain specific cases.

The so-called optional clause in the Statute of the Court is a perpetual invitation to all countries to assist in the supreme duty of extending the reign of law throughout the world; this clause has, however, only been signed by a few small States.

We are therefore still far from the day on which all Powers, both large and small, will agree to submit to the judgment of an international tribunal, even for such limited purposes as the obtaining of correct interpretations of the treaties concluded between them, thus rendering effective the great principle embodied in the Preamble of the Covenant, namely, "the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organised peoples with one another".

The article of the draft Treaty of Mutual Guarantee by virtue of which the High Contracting Parties bind

themselves to submit to the Permanent Court of International Justice all questions concerning the interpretation or the application of the present Treaty, subject to one exception alone, is a well-inspired application of this principle of the Covenant and a very remarkable step towards the realisation of our highest ideals.

An eminent American lawyer, Mr. Elihu Root, has recently confirmed, in the most solemn manner, the ideas which he expounded before the Committee of Jurists at The Hague; I refer to his declaration, which I consider interprets a opinion which is widely held amongst the peoples of the New World. This American statesman said: "Wars cannot be avoided by proclamations or by resolutions or simply as the result of force. War can only be avoided by organising the moral forces of the civilised world for the purpose of creating institutions capable of giving expression to these forces and making them felt in specifically indicated cases of violation of international laws".

In complete agreement with Mr. Root's ideas, and with all the authority which he possessed in his capacity as first magistrate of a powerful and prosperous Republic, President Harding, during his last pilgrimage, which was to see the noble end of a glorious life, proclaimed similar principles to those which I have just quoted, and sought to impress them upon the minds of the people of the United States. I take this occasion to pay a tribute to the memory of that illustrious statesman, whose name will be remembered with respect not only by the great American Republic, but by the whole civilised world.

After these general considerations I should like to refer to a few special ones with reference to the question of armaments as it presents itself to-day, in my opinion, to the American countries. I hasten to add that the opinions which I am about to express are of a personal character only, and that I do not even know whether they are shared by my honourable American colleagues.

Does the problem of the reduction of armaments, as a matter of fact, exist in the Latin-American countries? My own view is that it does exist, and that it is both an economic and a political problem.

It is an economic problem because it is evident that some American countries suffer under the grievous burdens which their military and naval armaments impose upon them, and because there is no doubt that an agreement between American States for reducing armaments, and, as a consequence, the expenditure which they entail, would be welcomed by these countries as a beneficent measure in the economic and fiscal sphere. In accordance with the table drawn up by the Bureau of the Pan-American Union for the Santiago Conference, the total armaments budget for the 21 American countries (including, of course, the United States of America), exceeds a milliard dollars. Of this sum more than 200,000,000 dollars is on account of the Latin-American countries. This total is chiefly allocated to land armaments, as very few countries in South America possess a navy. In the case of some of these States the cost of armaments represents at most 11 per cent of their total budget; this is the case with Colombia, amongst others, though she stands third in rank in Latin America as regards territory and population.

In the case of other countries of Latin America, the cost of armaments absorbs 20 per cent, and sometimes even more.

If all the Latin-American countries could decide upon a proportionate reduction, so that none of them spent more than 15 per cent of their total budget on military expenditure, the economies effected under this head would greatly exceed one hundred million dollars. Such an economy would beyond doubt greatly favour the general development and well-being of these countries.

I have also said that this problem is a political one. Although the burden of military expenditure in America

cannot be compared with that which weighs down the nations of Europe—except in the case of certain American countries which, by reason of the extent of their territory and special conditions, are obliged to incur a relatively large military expenditure—there is nevertheless an obvious disparity between the armaments of the different countries of that continent. It will readily be understood that this disparity is calculated to arouse a certain anxiety, in spite of the traditional atmosphere of harmony and good understanding, of respect for international law and hatred of force which, I am glad to say, prevails throughout the American world.

For this reason there is a desire for a reduction of armaments in America—a desire which has frequently made itself felt, and which is shared by the United States. Representatives of the latter joined the other countries of the American Continent in drawing up the programme for the fifth Pan-American Conference, on which the question of the reduction of armaments figured for the first time, as being considered by public opinion in America as of the greatest practical importance.

No positive agreement was reached at the Santiago Conference with regard to the reduction of armaments, although some time previously, as you know, such an agreement was reached by the Central American States through their adherence to the Washington Convention for the reduction of armaments, the great importance of which I have pointed out to the Temporary Mixed Commission. This temporary failure to come to an agreement on these very complex questions of special interest to one group of countries must not lead us to suppose that the Conference did not make very great progress towards the reduction or limitation of armaments.

The Continental Treaty concluded at Santiago for the avoidance of conflicts between American countries is a valuable pledge for the limitation of armaments, and one which does honour to the signatory Powers and is evidence of considerable progress in the sphere of moral disarmament.

This Treaty solemnly condemns armed peace, and provides for the constitution of international commissions of enquiry in the case of disputes between two or more States. The competence of these commissions is even more extensive than in the scheme previously submitted by the United States Secretary of State, Mr. Bryan.

The ratification of the Santiago Convention and the noble efforts being made in America for a fraternal solution of all long-standing disputes, and the final removal of every possible cause of conflict for good and all, will doubtless consolidate the moral unity so earnestly desired by the people of the New World.

We must therefore hope that at the Conference of 1926 the representatives of the American States will be able to confirm this spirit of unity aimed at in the five Pan-American Conferences.

In view of the special situation of the American countries in the matter of armaments, it may be asked what will be the attitude of these countries with regard to the draft Treaty of Mutual Guarantee at present before the Assembly.

In the first place they will undoubtedly recognise that this draft Treaty, the fruit of unremitting toil and strenuous preparation, constitutes a mighty effort. By reason of its political character and its importance for the maintenance of peace, the preparation of the Treaty is in reality part of the essential principle of the Covenant of the League of Nations, and fulfils the aim which is the mainspring of the Covenant. It will be invaluable as practical evidence before the world of what the League has actually done—evidence, too, of which the League stands so greatly in need.

But we must confess that the very importance of this draft Treaty, and the numerous and weighty

obligations which it would necessarily lay upon the signatory Governments, will probably lead the American nations, placed as they are in very special circumstances, and despite their concern for international solidarity and their desire for the maintenance of universal peace, to observe a cautious attitude towards the Treaty. The Treaty is an important manifestation of the spirit of the League, and its fate is therefore bound up with that of the League itself. Anything tending to increase the prestige of the League, particularly from the point of view of its universality, its democratic spirit, will contribute very materially towards strengthening the bonds between the League and the people of the New World. I would even venture to say that these peoples, who are so jealous of their sovereignty and independence, and are so profoundly democratic in origin, tradition and political institutions, if they are to become closely attached to this institution, if they are to take a real interest in the League, must expect to find in it the glow which inspires their own ideals, the tide of their own liberal spirit, the confirmation of their own traditional principles of international justice and the confirmation of the juridical equality of all States. They desire, in fine, that the fear of seeing the League become a super-State may be dispelled through the strict application of the powers granted to the Assembly by the Covenant.

As a member of the Temporary Mixed Commission I have closely followed the work of the men who are devoting all their energy to the great task of the reduction of armaments. I can bear witness to the indefatigable zeal, the perseverance, the faith, patience and altruistic spirit which throughout have characterised my eminent colleagues in the fulfilment of their task. In conclusion, I must express my profound admiration and gratitude to them. These workers for peace and justice deserve our gratitude and that of the people who will profit by their noble work and be free for ever from the evils and miseries of war, as well as that incentive to war, armed peace. (*Applause.*)

The President :

Translation : The Emir Zokaed-Dovleh will address the Assembly.

(The Emir Zokaed-Dovleh mounted the platform amidst the applause of the Assembly.)

The Emir Zokaed-Dovleh (Persia) :

Translation : Mr. President, ladies and gentlemen—Before entering upon the consideration of the question of disarmament I desire to take this opportunity of thanking M. Benes for his accurate and interesting report which, I imagine, will be unanimously adopted by the Assembly.

I would venture to call the attention of all delegates to the vital character of this question of the reduction of armaments, to which the neutral and pacifist countries of the world and public opinion generally attach the greatest importance.

I should like to take this opportunity of acquainting the delegates with the views held by the Persian nation and the Moslem East on this subject.

I desire sincerely to thank the members of the Third Committee for the pains they have taken in dealing with this question, which I was personally in a position to appreciate ; at the same time I fear that the efforts made in these last years will not achieve the results desired, and that the whole world will, therefore, still await in vain the re-establishment of universal peace. The Members of the League ought to give the Assembly the fullest assistance in their power in the attainment of this object, the establishment of lasting and eternal peace.

To my great regret, I must confess, however, that not only have we failed to take a single step towards

the reduction of armaments, but the acts of certain Powers have taken us backwards, and consequently the pacifists of the world have rightly attached no importance to our efforts.

As some of my colleagues have already eloquently referred, in the course of the debate on the report of the Council and of the Secretariat, to the opinions held in their respective countries with regard to the excessively slow progress made in this matter, there is no need for me to dwell on the bad impression it has made on public opinion. But I think it is both desirable and opportune to point out that this important task of the reduction of armaments, and of disarmament in heart and spirit, requires a more serious and earnest effort on our part than in previous years, in order that we may reassure public opinion and give evidence of our sincere desire for co-operation.

I would therefore suggest that pamphlets in the various European and Asiatic languages, calling upon all nations to work for peace and to show a spirit of fraternity and friendship towards one another, should be printed and distributed on behalf of the League throughout the world. The Press might also be invited to pursue the same course, so that the hatred and hostility between the belligerent Powers stirred up by the Great War may make way for feelings of friendship and equality.

I consider this proposal to be of the greatest importance; it is, in my opinion, one of the duties of the League to carry it out, and, as its execution would not be costly, I trust that the Council and the Secretariat, and also the Press of the world, will take the necessary steps at the earliest possible moment to give effect to it.

If you glance at certain districts of Europe and Asia where the disastrous consequences of the war are still felt, you will see that a great part of the human race, our brothers and sisters, are suffering from calamities and from want.

The improvement of the lot of humanity for which we are responsible is indeed a heavy task. The League is not just a meeting-place for diplomats of the different countries, and we do not assemble merely in order to conclude theoretical arrangements and waste time in being polite and ceremonious to each other, or in order to obtain satisfaction at each session for certain petty private interests of our respective Governments. The whole world entertains other hopes of the League; not only to our Governments, but to the whole of humanity, are we responsible, and it is our duty to remedy the evils of the world by expending all the money we receive on behalf of humanity and its social needs.

As the eloquent delegate of Australia so aptly remarked at a previous Assembly, there is one thing above all that people expect of the League—that it should work for disarmament. Every time we hear of fresh engines of war, every time the Powers enter upon a fresh rivalry of forces, as, for example, by engaging in a competition of armaments by air as well as by land and sea, every time we hear of these enormous credits, amounting to milliards of gold francs, the peoples, that is to say, the honest folk who have to pay the contributions and suffer from the threats of war, cry out, and with justice: "What is the League of Nations doing? Why does it shrink from stopping this folly? What does it spend its time in doing? Was it not founded to deliver the world from this nightmare?"

I know that the task is not an easy one, and I am glad to testify to the good work of the Committees of the League which have studied these problems. In particular, I should like to congratulate that courageous apostle of disarmament, Lord Robert Cecil, who did not rest until he obtained a draft Treaty of Mutual Assistance, which is indeed the first step towards a limitation of the war credits under which poor humanity is groaning.

Some days ago you modified the sense of Article 10 of the Covenant without furnishing States with any other guarantee in its place. The only guarantee which could justify the change in Article 10 is to establish a Treaty of Mutual Guarantee as a support to the small nations who have come to the League to ask for its help. I therefore hope that the Assembly will confirm the report of the Committee in this respect.

My country is in hearty agreement with the bold initiative taken by the League, and will gladly sign the Treaty of Mutual Guarantee. It is also glad to be content with a small army of 75,000 men to guard the frontiers of an immense territory and to ensure internal order. We have decided to limit ourselves to what is strictly necessary, and we trust that every other State will also set an example of moderation and confidence in the Covenant.

I feel I ought to thank the United States of America, the great democratic Power of the world, and also the great Asiatic Empire of Japan, because, in accordance with the provisions of the Washington Treaty, they have partially reduced their fleets, and are ready to put into execution the rest of that Treaty.

This confidence in the draft Treaty also entails a duty. We realise full well that we must be ready to honour our solemn engagements, should the League demand it.

Unfortunately there is an article in the Convention of St. Germain which has caused our Government serious difficulties by preventing it from receiving from abroad the supplies it needs for the upkeep of its small army. In 1919, the Powers which concluded this Treaty placed Persia in the prohibited zone, together with Arabia, Gwadar and the African Continent. My country was treated as if its independence and sovereign rights were non-existent.

It is true that at that time there was a certain tendency to establish zones of influence in my country, but since then Persia has reaffirmed her independence and her neutrality.

She was never consulted as to the revision of the Convention of St. Germain, and she solemnly protests against Article 10, which disposes of her territory without her consent. We greatly hope that the League will assist us to make good this injustice and to overcome this difficulty.

I have just heard this morning that the Council of the League has taken note of our protest; our first delegate has been called before the Council, and the members of the Council have informed him that a favourable solution will be adopted, such as will satisfy Persia. Persia's sole desire has always been to co-operate in putting an end to all conflicts and in working for the peace of the world. We greatly hope that the solution proposed by the Council will shortly have the desired results, and that the Commission for the Reduction of Armaments will act in such a way that the fresh proposals can receive the support of Persia also.

I hasten to add that Persia is eager to co-operate in the suppression of the illicit traffic in arms and ammunition, on a footing of perfect equality with the other Members of the League. She has already taken severe measures and passed laws for the suppression of this traffic within her territory and on her frontiers.

On these conditions of perfect equality, my country will energetically support the limitation of the traffic in arms and ammunition, and will willingly sit on any Commission instructed to draw up a fresh agreement.

Our main task here is that of disarmament, but it is essential that the great as well as the small Powers should exhibit the utmost goodwill in order that we may attain that universal peace for which the whole world yearns. (*Applause.*)

The President :

Translation : M. Alvarez will address the Assembly.

M. Alvarez (Chile) :

Translation : Mr. President, ladies and gentlemen—As regards the draft Treaty submitted to the Assembly, it is my purpose to deal with it only from the point of view of what may be called the new international law.

The League of Nations and the Permanent Court of International Justice will not produce results which we are entitled to expect from them until international law has been reconstituted and firmly laid on foundations corresponding to the new requirements arising out of the life of the League of Nations.

When the Great War began, the American Continent realised the necessity of undertaking the reconstitution of international law, and of developing it on fresh lines. The American Institute of International Law, which is a Federation of the 21 societies of international law existing in the American Republics, undertook a systematic study of this question, and subjected to severe criticism, tenets which had hitherto been regarded as immutable foundations of international law.

It further endeavoured to make good the omissions in international law and to bring it into harmony with recent developments.

The American Institute of International Law thus facilitated this great work of the codification of the whole body of international law; the task was begun by the American States in 1912, but was interrupted by the Great War, and will be resumed in 1925.

In conformity with the resolutions of the Pan-American Congresses, this work of codification is to be undertaken from the special point of view of the principles and doctrines which all the States of the New World profess.

These States have no urgent need either of the limitation of armaments or of a Treaty of Guarantee, but the instrument now laid before the Assembly contains, as has very justly been observed by the Rapporteur, M. Benes, certain great principles and broad guiding-lines which should govern the new international law.

From this point of view the draft is of the utmost importance to the American countries, for it defines principles which we have long advocated. It may indeed be considered as the most important achievement of the fourth Assembly. (*Applause.*)

The President :

Translation : Sir Rennell Rodd, delegate of the British Empire, will address the Assembly.

(*Sir Rennell Rodd mounted the platform amidst the applause of the Assembly.*)

Sir Rennell Rodd (British Empire) :—Mr. President, ladies and gentlemen—I am not going to make a speech. I only rise here to express to the Assembly the great regret of Lord Robert Cecil that he has not been able to be present at a sitting when a scheme was being discussed which is particularly dear to him and to which he has devoted so much enthusiastic effort. It is very unfortunate, but the state of his health demands that he should remain absolutely quiet to-day, and perhaps to-morrow. He consoles himself however with the reflection that he reposes his entire confidence in the judgment of the Assembly. (*Applause.*)

The President :

Translation : M. Hanotaux will address the Assembly.

M. Hanotaux (France) :

Translation : I believe I shall be speaking for my colleagues when I say that all the delegations have

been greatly moved by the words of Sir Rennell Rodd; I express my deep regret that Lord Robert Cecil is unable to be present at the discussion on the report of the Third Committee on the reduction of armaments. We all, I am sure, sincerely hope that he will be speedily restored to health. (*Applause.*)

The President :

Translation : Does anyone else wish to speak on the report of the Third Committee?

The discussion is closed.

I propose to the Assembly that it should vote on the report and the resolutions, taken as a whole.

Is there any objection?

I put to the vote the report submitted by the Third Committee on the reduction of armaments, and the resolutions, taken as a whole.

The resolutions are as follows :

I. *The Assembly,*

Having taken cognisance of the draft Treaty of Mutual Assistance drawn up by the Temporary Mixed Commission and amended by the Third Committee as a result of an exchange of views between its members, some of whom spoke in their personal capacity;

Considering that this discussion has revealed some divergences of view and, further, that a large number of Governments have not yet expressed their opinions on Resolution XIV of the third Assembly;

Decides to request the Council to submit the draft Treaty of Mutual Assistance to the Governments for their consideration, asking them to communicate their views in regard to the aforesaid draft Treaty.

II. *The Assembly,*

Notes with great satisfaction that in the course of the last three years the States Members of the League have, with very few exceptions, been able to reduce their expenditure on armaments;

Desires that this fortunate development should become more marked and more general;

Recalls the resolutions of the preceding Assemblies concerning the limitation of expenditure on armaments;

And requests the Council to recommend to the Members of the League not to exceed, during the period necessary for the elaboration and the adoption of the general scheme for the reduction of armaments, the total expenditure on military, naval and air armaments provided for in the budget of the present fiscal year;

Subject to the reservation, however, that allowance shall be made :

(a) *for all contributions of effectives, material, or money recommended by the Council for the execution of the obligations provided for in Article 16 of the Covenant;*

(b) *for all exceptional situations brought to the notice of the Council and recognised by it as such.*

III. *The Assembly expresses its approval of the decisions which the Council has taken in connection with the publication of a Year-Book of Statistical Information concerning National Armaments, and recommends that, in preparing this volume, the Secretariat should take into account the recommendations put forward in the report of the Temporary Mixed Commission.*

IV (a). *The Assembly recommends that the Temporary Mixed Commission should be invited to prepare a new convention or conventions to replace that of St. Germain for the control of the traffic in arms.*

The Temporary Mixed Commission should be requested to draw up the draft convention or conventions in such a form that they might be accepted by the Governments of all countries which produce arms or munitions of war.

The Temporary Mixed Commission should, however, also make alternative proposals for a convention or conventions which might be adopted by some of the producing Powers even if others refused their co-operation.

The Assembly recommends that the Council should invite the United States Government to appoint representatives to co-operate with the Temporary Mixed Commission in preparing the draft convention or conventions.

IV (b). The Assembly recommends that the Council should invite the Temporary Mixed Commission to refer its scheme for the control of private manufacture of arms and munitions to the Economic Committee of the League for its observations, and that it should also endeavour, in co-operation with the Economic Committee, to draw up a draft convention for this purpose.

The Assembly recommends that, when the Council has received the report of the Temporary Mixed Commission concerning the arms traffic and private manufacture of arms, it should consider the question of summoning an international conference to draw up conventions on this subject.

V. The Assembly awaits with interest the report of the special Committee on the probable effects of chemical discoveries in future wars and it again requests the Council and the Temporary Mixed Commission to ensure by all possible means the fullest publicity for the report of the Committee.

VI. The Assembly,

In view of Resolution XV of the third Assembly concerning the problem of the reduction of armaments; Asks the Council to request the Temporary Mixed Commission to consider the possibility of recommending, concurrently with the general scheme for the reduction of armaments, the negotiation of draft partial agreements for the same purpose, to be submitted for examination and decision to the Governments of the States Members of the League which are in a special geographical position,

and brought to the notice of all States Members of the League of Nations.

These draft agreements might, should opportunity arise, provide for reduction of armaments still greater than those provided for by the general scheme.

VII. The Assembly requests the Council to invite the Temporary Mixed Commission to continue for a further period of one year the work which it has undertaken and to submit its report as early as possible before the meeting of the next Assembly.

The Assembly is of opinion that it is henceforth the duty of the Council to establish direct co-operation with the Governments with a view to formulating the general plan for the reduction or limitation of armaments which, under Article 8 of the Covenant, must be submitted for the consideration and decision of the several Governments.

The Assembly requests the Council to regulate and co-ordinate the work of the Temporary Mixed Commission and of the Permanent Advisory Commission, in anticipation of the possible expiration of the mandate of the Temporary Mixed Commission at the next Assembly.

The Assembly, having considered the resolution adopted by the second Assembly in regard to the Disarmament Section of the Secretariat and taking into account the importance of this organisation, is of the opinion that the Secretariat should be requested to re-establish, when circumstances permit, the special directorship of this Section which the second Assembly recognised as necessary.

(The report and the resolutions were unanimously adopted).

The Assembly rose at 1.25 p.m.

TWENTIETH PLENARY MEETING

Saturday, September 29th, 1923, at 3.30 p.m.

President: M. DE LA TORRIENTE Y PERAZA.

CONTENTS :

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

Election of Uruguay, Brazil, Belgium, Sweden, Czechoslovakia and Spain.

88. CLOSE OF THE SESSION.

Speech by the President.

87. — ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL.

The President :

Translation: The first item on the Agenda is the election of the non-permanent Members of the Council.

I call the attention of the Assembly to the procedure followed last year in regard to this election. The last Assembly unanimously adopted the following rules of procedure, which it will perhaps be useful to bring again to your notice :

“The Members whose representatives are to sit on the Council as non-permanent Members of that body shall be selected by the Assembly by secret ballot.

“Where several seats are to be filled, the election shall be made by voting a list of names. Any ballot-paper containing more names than there are seats to be filled shall be null and void.

“No Member shall be elected at the first or at the second ballot unless it has obtained at least the absolute majority of the votes. If, after two ballots, there still remain seats to be filled, a third ballot shall be held upon a list consisting of the candidates which obtained most votes at the second ballot, up to a number double that of the seats still to be filled, and those Members shall be elected which obtain the greatest number of votes.

“If two or more Members obtain the same number of votes and there is not a seat available for each, a special ballot shall be held between them; if they again obtain an equal number of votes, the President shall decide between them by drawing lots.”

Further, I must call the attention of the delegations to the fact that votes are to be cast for countries and

not for persons. Last year some of the ballot-papers bore the names of persons, and were thereby invalidated.

I request M. Meierovics, delegate of Latvia, and M. Zumeta, delegate of Venezuela, to act as tellers.

(M. Meierovics and M. Zumeta took their places on the platform.)

The President :

Translation: We shall now proceed to take a secret ballot by roll-call.

(A vote was taken by roll-call and secret ballot. The Secretary-General proceeded to count the votes.)

The President :

Translation: The result of the ballot is as follows :

The following States voted :

Abyssinia, Albania, Australia, Austria, Belgium, Brazil, British Empire, Bulgaria, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Esthonia, Finland, France, Greece, Haiti, Honduras (by proxy), Hungary, India, Irish Free State, Italy, Japan, Latvia, Liberia, Lithuania, Luxemburg, Netherlands, Norway, Panama, Paraguay, Persia, Poland, Portugal, Roumania, Salvador, Kingdom of the Serbs, Croats and Slovenes, Siam, South Africa, Spain, Sweden, Switzerland, Uruguay, Venezuela.

The following States were absent or abstained from voting :

Argentine, Bolivia, Canada, Guatemala, New Zealand, Nicaragua, Peru.

Number of votes cast	47
Absolute majority required	24

The votes obtained by the States were as follows :

Uruguay	40
Brazil	34
Belgium	32
Sweden	32
Czechoslovakia	30
Spain	30
Portugal	19
Poland	17
Persia	14
China	10
Chile	5
Netherlands	4
Switzerland	3
India	2
Canada	1
Austria	1
Colombia	1
Esthonia	1

Uruguay, Brazil, Belgium, Sweden, Czechoslovakia and Spain have obtained the absolute majority of votes required and are therefore elected non-permanent Members of the Council. *(Loud and prolonged applause.)*

88.—CLOSE OF THE SESSION: SPEECH BY THE PRESIDENT.

The President :

Translation: Ladies and gentlemen—The time has come to bring our work to a close. We have worked together without rest or pause all through the past month, both at plenary meetings of the Assembly and at meetings of its six principal Committees, to study, discuss and resolve the various questions upon our agenda. We have now completed our programme, and never for a single moment have our deliberations ceased to be permeated by that friendly and cordial spirit which is so essential to any work designed to develop and stimulate international co-operation, and to guarantee peace and security to all nations in accordance with the principles proclaimed in the Preamble to the Covenant of the League.

We must all hope that this spirit which has reigned over our deliberations may continue to inspire us, so that in time this international association may become universal. The League is, in point of numbers, the greatest association of its kind ever known; even at the opening of its work, at the first Assembly, there were 42 Members. At that Assembly in 1920, and at each Assembly which has followed, including our present session, new Members have been added, so that to-day the League comprises 54 States. It is becoming daily wider and more universal and very few countries are still standing aloof. We may rest confident that at some future time, with the removal of the considerations or difficulties which have hitherto prevented their entrance, the delegates of all the nations which to-day still remain outside our body will be here to take part in our deliberations.

Speaking as the representative of a small American State, whose sole desire is to remain always in agreement with her sister nations of the new world on all international questions, whether they concern our Continent alone or mankind as a whole, I would take this opportunity to say that I hope—and I know that you all hope also—to see, at future Assemblies, delegations of all the countries which are Members of the League of Nations. I may mention in particular the Argentine, Peru, Bolivia, Guatemala and Nicaragua.

I trust also that at no distant date we shall be joined by Ecuador, which signed but has not yet ratified the Treaty, and that Mexico and San Domingo will also become Members of the League. Lastly, I hope that, when once agreement has been reached as to the form and manner of their co-operation in our work, we shall be able to welcome representatives of that great American nation which gave birth to Washington and Lincoln, to Wilson and Harding—that people which represents so powerful a moral and material force in the world, and which for that very reason cannot, although it has not ratified the Covenant, refuse the League of Nations its valuable aid, which is of such vast importance for the future of mankind. (*Loud applause.*) Until that day I trust that, just as American representatives have recently collaborated in the settlement of certain questions to which I shall later allude, so when other problems of world importance arise, in the solution of which the United States can assist us, we shall see them working side by side with us with that high faith and enthusiasm which they have always displayed in every kind of disinterested endeavour.

Before turning to the consideration of our work at this fourth Assembly, I am anxious to fulfil a most agreeable duty—the duty of paying a tribute from this Assembly, and of expressing our sincerest thanks, to the Swiss Confederation, to the Republic and Canton of Geneva, to the Swiss people as a whole, to the Federal Authorities, and to those of this fair city, who have once more welcomed us most cordially and hospitably, and have thus lightened and rendered more

agreeable our daily task. (*Applause.*) As M. Giuseppe Motta embodies in his own person the nobility and virtues of his countrymen, and as he is not only the head of his country's delegation, but also the highest Federal official, who has been in constant contact with us, it is to him that I tender the expression of my friendship and gratitude. I would not only thank him for the consideration which he has so often displayed towards us all, but I would also compliment him on the wise and able manner in which he has presided over the debates of one of our principal Committees—the Committee entrusted with the study of legal and constitutional questions. (*Unanimous and prolonged applause.*)

As President of this Assembly, I would also express our thanks to the cultured and intelligent public which has attended our meetings and has unfailingly encouraged us to persevere in our endeavours to strengthen public opinion in those sentiments and aspirations which it shares with ourselves.

Nor can I refrain from thanking the journalists of all countries, who from Geneva have made our ideas, our discussions and our agreements universally known throughout the civilised world. To all of them we offer our deepest thanks—not less to those who have sought to prove their friendship by the severity of their comments, than to those whose attitude towards us is one of cordial co-operation.

My conscience would not be clear if, before beginning my brief examination of our work, I did not seize this opportunity of acknowledging in your presence, and in the presence of the public which is listening to my words, and of the journalists who are recording them, the extent of our indebtedness as Members of the Assembly, and of my own in particular as President, towards our Secretary-General and the staff of the Secretariat which works so admirably under his direction. (*Applause.*) What can I say about Sir Eric Drummond? Just this, that I consider him impossible to replace. (*Renewed applause.*) As to the high officials who assist him and the members of the Secretariat with whom we have been in contact in the course of our work, I must say that I have never met persons so well qualified for their duties. Without their help, let me say, the interesting meetings in which the representatives of more than fifty countries, speaking all the languages of the world, have taken part during the present Assembly, would have come to the same conclusion as the historic concourse at the Tower of Babel. I should also be guilty of injustice if I did not express my personal gratitude to all our interpreters, and especially to M. Kamerlynck, whose skilful co-operation has never failed me.

The Assembly lays the foundations, so far as it is humanly possible to foresee, of the international relations of the future, and establishes the plan of the work to be carried out in the interval between its sessions by the various organisations of the League, including, to a large extent, the Council itself. The Council has been sitting simultaneously with ourselves. We have followed with interest the important deliberations which it has held during our session. Just as the work of the Council, in many cases, consists in continuing and developing the work of the Assembly, so the Assembly must often base its programme on foundations laid by the Council. These two organisations carry on their activity as a harmonious whole, each completing and perfecting the work of the other, both regarding it as their right and duty to share the responsibility in moments of difficulty, and to feel a common pride in the successes which are achieved.

If the work of the Council during the past year has afforded us the liveliest satisfaction, and if, in particular, we have applauded the success of the efforts for the reconstruction of Austria, I cannot find words to praise the wisdom and skill displayed by the Council at the sittings which it held under the presidency of Viscount Ishii with regard to the Italian-Greek dispute.

I cannot deny that we felt anxious and uneasy. Some of us feared at the outset that a new European war might break out, the results of which would have been incalculable. When the Italian-Greek dispute was settled with the close collaboration of the Council, on which the Members of the League concerned were represented by M. Salandra and M. Politis, the whole world experienced a sensation of quietude and satisfaction.

The test to which the cause of peace has been subjected gave an opportunity to all to realise how great an importance for humanity the League of Nations, an organisation which is more and more respected, had acquired.

It is on the First Committee that we rely especially for guidance in the interpretation and development of our fundamental constitutional instrument, the Covenant. This year the Committee has been engaged in discussing legal questions of great importance to the League, but its discussions hardly admit of a brief review. The most important subject which it has considered has been the interpretation of Article 10 of the Covenant.

I must pay tribute to the spirit of frankness and conciliation which the Canadian delegation has displayed throughout this discussion, which was opened at its instance. The debates in the First Committee and the Assembly and the vote which we took last Tuesday have, I venture to hope, cast light upon the meaning of the article and dispelled fears which were, perhaps, justified, without in any way impairing the fundamental principles which the article embodies.

The work of the First Committee has been greatly hampered by the fact that the amendments to the Covenant voted by the second Assembly are not yet in force. I may perhaps be permitted to repeat the appeal already made, and to ask those Members of the League which have not ratified the amendments to make the necessary effort to secure their ratification before the meeting of the next Assembly.

The work accomplished by the Second Committee constitutes in many respects an important stage in the labours of the technical organisations of the League.

Acting on the advice of the Second Committee, the Assembly has adopted a scheme intended to place the Health Organisation of the League on a permanent basis; it is also thanks to the work of the Second Committee that we have been able to approve the terms of a Convention on arbitral clauses in commercial treaties, the Protocol of which is now open in the Secretariat for the signature of the representatives of all Members of the League which desire to adhere to it.

This work of the League in technical fields is a true work of peace and contributes an essential element in the whole structure of its organisation.

I am very glad to take this opportunity of wishing every success, in the name of the Assembly, to the two important Conferences which will meet here in the months of October and November to discuss respectively the question of Customs Formalities and the question of Transit—particularly of railway transit. We are confident that agreements will be reached at those conferences which will facilitate the flow of trade and contribute to international understanding and international solidarity.

The work done by your Third Committee will certainly not be the least important of that accomplished at this Assembly. It has had to deal with a certain number of questions the extreme complexity of which has not succeeded in impairing the patience and goodwill of the two Committees appointed by the Council which are dealing with disarmament. I mean problems such as the international organisation of the control of the traffic in arms and the regulation of the private manufacture of arms, enquiries into the question of chemical warfare and the limitation of naval armaments.

On all these questions the report which the Committee has submitted contains information such as to make us realise, on the one hand, the difficulty of the problems in question, and to inspire us on the other with the necessary courage and confidence to solve them.

But, as you know, the main work of the Third Committee this year has been the preliminary work for the preparation of a draft Treaty of Mutual Assistance. You will not expect me to give a short and incomplete statement here of what has been set forth in masterly fashion by M. Benes in his report, that is to say, an analytical summary of the principles which guided the preparation of the draft.

I shall confine myself to affirming my faith in the efficacy of a method of patient, methodical and competent work which, grappling with real difficulties and finding its inspiration in lofty ideals, loyally strives to achieve the aim in view.

At a moment when you have adopted a resolution submitting to all the Governments for their serious consideration the draft which has been prepared by your Committee with a view to the solution of the problem in the future, may I be allowed to remind you from this platform of the signal merits of the two men who have been the most ardent collaborators in this work. I mean Lord Robert Cecil (*Loud applause*), who first suggested the system of Treaties of Guarantee, a man capable of the highest idealism but who, nevertheless, does not lose sight of the exigencies of real life, and Colonel Réquin, whose remarkable ability has exercised such a happy influence upon the work of the bodies which dealt with this question. (*Applause.*)

The Fourth Committee has proved a faithful guardian of the purse of the League, supported by the valuable co-operation of the Supervisory Commission. It has shown an increasing rigour in passing the credits necessary for the development of the League. May I be allowed to congratulate it on the work accomplished so far, and, at the same time, express my personal opinion as to the undesirability of any further reductions in the salaries of the officials and the staff who are indispensable to the smooth working of our Secretariat.

Much of the work of the Fifth Committee has awakened the interest of the whole world. Thanks to this Committee, the fourth Assembly will, I confidently expect, stand out as a real landmark in the campaign against the abuse of opium and other dangerous drugs. To the progress which we have already made, the support of the United States of America, both in counsel and in action, has greatly contributed. But these results would not have been obtained without the existence of the League organisation or without the patient collaboration of those Members of the League which are specially concerned with this problem.

I have not sufficient time at my disposal to speak in detail of the many other questions which have been examined and illuminated by the Fifth Committee. The problems of Intellectual Co-operation, of the Traffic in Women and Children, above all, the work on behalf of the Russian refugees and of the refugees now on Greek soil; all these are matters regarding which results have proved that the organisations of the League have made it possible to take effective practical action in humanitarian problems of an international character.

Two new States have, on the recommendation of the Sixth Committee, been added to the list of Members of the League, and the Assembly has shown by the cordiality of its welcome that it sincerely rejoiced to admit to its ranks the representatives of the newly-established Free State of Ireland. It has welcomed no less sincerely the representatives of the ancient Empire of Abyssinia, which, with true vision, has declared its intention to stand by the side of its fellow-Members of the League in the assurance of peace and civilisation.

The Chairmen of our six main Committees, M. Motta—to whom I have already referred—His Highness the

Maharajah of Nawanagar, M. Skirmunt, M. Nintchitch, M. de Mello-Franco and M. Hymans, together with M. Dissesco, Chairman of the Agenda Committee, deserve our warmest congratulations for the wisdom and ability with which they have discharged the delicate duties entrusted to them by the delegations.

Before concluding my observations, I wish to say that it is to the advice and support afforded to me by the General Committee of the Assembly, composed of M. Pusta, M. Fortoul and my excellent friend Count de Gimeno and several others already mentioned in my speech, that I have been able to fulfil my duties. The General Committee has always shown such certainty of judgment as to give the impression of a long-established organisation.

If I have been able to carry out my duties, I owe it to your goodwill and to your courtesy—for which I shall never be able to thank you enough—and to the fact that I have always endeavoured loyally to fulfil what I promised when you did me the great and undeserved honour of choosing me as your President; this promise was to uphold the traditions established by the three eminent men who have held this high position before me.

I said at the beginning of my speech, that the spirit of goodwill and cordiality, which is so essential to the

development of co-operation between nations, has never, for a single instant, ceased to reign during our discussions. We shall never forget the splendid and encouraging example of loyal and effective co-operation given every day by the representatives of so many countries and especially of the two great Powers sitting in our midst, France and Great Britain. There could be no more admirable spectacle than to see statesmen working together in perfect amity and sympathy—whatever the differences may be on any given point between the views of their Governments—in order to consolidate the fundamental principles of the League of Nations represented by such great statesmen as M. Léon Bourgeois, the doyen of the League, to whom you have already expressed, by your applause, your admiration and gratitude, the eminent academician, M. Gabriel Hanotaux, and Lord Robert Cecil, whom I have already mentioned in my publications on the League, and who is one of the main pillars of the vast edifice which we are endeavouring to build.

Ladies and gentlemen, once more, I thank you for your indulgence. (*Unanimous applause.*)

I declare the fourth Assembly of the League of Nations at an end.

The Assembly rose at 4.45 p.m.

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ANNEX 1.

AGENDA OF THE FOURTH SESSION OF THE ASSEMBLY 1923

As circulated on May 1st, 1923, in accordance with Rule 4, paragraph 1, of the Rules of Procedure of the Assembly.

1. Election of the Committee to report on the credentials of Delegates.
2. Election of the President.
3. Examination and adoption of the Agenda.
4. Nomination of Committees and election of Chairmen of the Committees.
5. Election of six Vice-Presidents.

ITEM CIRCULATED UNDER RULE 4, PARAGRAPH 2 (a), OF THE RULES OF PROCEDURE.

6. Report on the work of the Council since the last session of the Assembly, on the work of the Secretariat, and on the measures taken to execute the decisions of the Assembly.

ITEMS CIRCULATED UNDER RULE 4, PARAGRAPH 2 (b), OF THE RULES OF PROCEDURE.

(Items inserted by direction of the third Assembly.)

7. Reduction of Armaments. Report of the Temporary Mixed Commission.
8. Slavery. Report by the Council on the information received.
9. Amendment to Article 10 of the Covenant. (Proposal by the Canadian Government.)
10. Statement by the Council and the Governing Body of the International Labour Office on new work involving new expenditure on the part of the League.
11. Deferred pay and pensions scheme.

ITEMS CIRCULATED UNDER RULE 4, PARAGRAPH 2 (c), OF THE RULES OF PROCEDURE.

(Items proposed by the Council.)

12. The work of the Economic and Financial Commission.
13. The work of the Advisory and Technical Committee on Communications and Transit.
14. The work of the Health Organisation of the League, including the work of the Epidemic Commission.
15. Traffic in Opium and other Dangerous Drugs. The work of the Advisory Committee.
16. Traffic in Women and Children. The work of the Advisory Committee.
17. Refugee questions. Reports by the High Commissioner.
18. Intellectual Co-operation. The work of the Committee.
19. The allocation of the expenditure of the League.
20. Election of a judge of the Permanent Court of International Justice to fill the vacancy caused by the death of M. Ruy Barbosa. (Article 14 of the Statute of the Court.)
21. Procedure for adoption of the Budget at plenary meetings of the Assembly.
22. Protection of Minorities in Esthonia.

ITEMS CIRCULATED UNDER RULE 4, PARAGRAPH 2 (d), OF THE RULES OF PROCEDURE.

(Items proposed by a Member of the League.)

23. Request to the Assembly from the Lithuanian Government concerning:
 - (a) The Council's Resolution of January 13th, 1923;
 - (b) Reference of certain questions to the Permanent Court of International Justice for an advisory opinion.

ITEMS CIRCULATED UNDER RULE 4, PARAGRAPH 2 (e), OF THE RULES OF PROCEDURE.

24. Budget for 1924, including the Budgets of the International Labour Organisation and of the Permanent Court of International Justice.
Audit of Accounts for the fourth fiscal period (1922).
Reports of the Supervisory Commission, including the reports on the cost of living in Geneva.
Report on the general financial situation of the League.
25. Request of the Irish Free State for admission to the League. Request of the Empire of Ethiopia (Abyssinia) for admission to the League. Any other request which may be received in accordance with paragraph 2 of Article 1 of the Covenant.
26. Selection of the six non-permanent Members of the Council.

SUPPLEMENTARY LIST OF ITEMS AS CIRCULATED IN ACCORDANCE WITH RULE 4, PARAGRAPH 3, OF THE RULES OF PROCEDURE OF THE ASSEMBLY.

ADDITIONAL ITEMS CIRCULATED UNDER RULE 4, PARAGRAPH 2 (d), OF THE RULES OF PROCEDURE.

(Item circulated at the request of the British Government.)

27. Amendment of Article 16 of the Covenant.
(Item circulated at the request of the Spanish Government.)
28. Validity in all States, on a basis of reciprocity, of certain secondary education diplomas; establishment of an international university; institution of a higher education Degree in all countries Members of the League of Nations, such diplomas being valid for all the countries in question.

ADDITIONAL ITEM CIRCULATED UNDER RULE 4, PARAGRAPH 2 (b), OF THE RULES OF PROCEDURE.

29. Report on the erection of a hall on the property given to the League by the Canton and City of Geneva.

QUESTION SUBMITTED BY THE COUNCIL.

30. Reports on the Work of the Commission for the Protection of Women and Children in the Near East.
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ANNEX 2.

ELECTION OF A JUDGE OF THE PERMANENT COURT
OF INTERNATIONAL JUSTICE.

NOTE BY THE GENERAL COMMITTEE OF THE ASSEMBLY.

1. By a telegram, dated March 2nd, 1923, the Secretary-General was officially informed by the Brazilian Government of the decease of M. Ruy Barbosa, Judge of the Permanent Court. On April 17th, 1923, the Council of the League of Nations decided that the election of a successor to M. Barbosa should be placed upon the Agenda of the fourth Assembly and of a meeting of the Council to be held during the Assembly's session.

2. The Secretary-General thereupon took the measures required by the Statute of the Court to secure the nomination of candidates. The members of the Permanent Court of Arbitration belonging to the Members of the League, or States mentioned in the Annex to the Covenant, were invited to proceed by National Groups to nominate persons in a position to accept the duties of a member of the Court. Members of the League not represented on the Permanent Court of Arbitration were invited to form National Groups, and the members of these National Groups were requested to submit the nominations. In his original invitation, the Secretary-General set August 1st as the date by which nominations should be made; following the precedent of 1921, an extension of this date was made in order to admit of the necessary delays in the transmission of nominations.

3. In accordance with Article 7 of the Statute of the Court, the Secretary-General has prepared a list in alphabetical order of the persons nominated, and this list has been submitted both to the Assembly and to the Council (Document A. 37. 1923. V).

4. It is provided in Article 14 of the Statute of the Court that "vacancies which may occur shall be filled by the same method as that laid down for the first election." Article 4 of the Statute provides that members of the Court shall be elected by the Council and by the Assembly from the list of persons circulated by the Secretary-General in accordance with the provisions of Article 7.

5. The Assembly will doubtless desire to follow the procedure adopted in 1921 with reference to the conduct of the election itself. The Council and the Assembly are enjoined by Article 8 of the Statute to act independently. In 1921 the Council met in a private session, while the plenary meetings of the Assembly were held in public.

6. The election will take place by a secret ballot. The delegates will find the voting papers in their places on the day settled. The voting papers will be placed in the urn by the heads of delegations, voting in turn, and the votes will then be counted. The result of the voting in the Assembly will be announced by the President. An absolute majority of the votes cast in the Assembly and the Council will be necessary for election.

7. The Council will meet simultaneously, and by communication under seal it will inform the President of the Assembly of the name of the person who receives the majority of the votes cast in the Council.

When the same person has received a majority of the votes cast in both the Assembly and the Council, the President of the Assembly will declare that person elected.

8. The Assembly will doubtless wish to follow the decision taken by the Assembly in 1921 that, in accordance with Article 7 of the Statute of the Court, and notwithstanding Rule 21 of the Rules of Procedure of the Assembly, candidates whose names are included in the list drawn up by the Secretary-General shall be eligible for election at any ballot held by the Assembly in the course of the same session.

9. It is possible that a first comparison of the results of the voting in the Assembly and the Council will not result in the election of a judge. In this event the President of the Assembly will ask the delegates to meet again for the purpose of casting a further ballot. If, after the third meeting, the vacancy is still unfilled, the President will consult the Assembly as to whether it desires to set up the joint conference provided for in Article 12 of the Statute of the Court. Either the Council or the Assembly may request the formation of such a joint conference, and the joint conference would then choose one name for the seat vacant to submit to the Assembly and the Council for their respective acceptance.

10. When the election is finished, the result will be officially notified to the successful candidate and he will be asked to inform the Secretary-General whether he accepts. In the event of a refusal, it would be necessary to hold a further electoral meeting.

ANNEX 3.

ADMISSION OF THE IRISH FREE STATE TO THE LEAGUE.

REPORT SUBMITTED BY THE SIXTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. MEIEROVICS, Delegate of Latvia.

The Sixth Committee has taken note of the report of the Sub-Committee which was instructed to consider the application of the Irish Free State.

The Sixth Committee approves of the report and unanimously recommends that the Assembly should admit the Irish Free State to the League of Nations.

REPORT BY THE COMMITTEE.

According to precedent, the Sub-Committee has based its investigations on the questionnaire used for the admission of new Members by the first three Assemblies. The questionnaire is as follows:

1. Is the request of the Irish Free State for admission into the League of Nations in order?
2. Is the Irish Free State recognised *de jure* and *de facto* and by what States?
3. Does the country possess a stable Government and well-defined frontiers?
4. Is it fully self-governing?
5. What have been the acts and declarations of the Irish Free State:
 - (a) As regards its international engagements?
 - (b) As regards the stipulations of the League with reference to armaments?

To the first question the Sub-Committee has returned an affirmative answer.

In reply to the second question, the Sub-Committee notes that the Irish Free State is a Dominion forming part of the British Empire upon the same conditions as the other Dominions which are already Members of the League.

To the third question the Sub-Committee replies in the affirmative. The Sub-Committee has been informed that provision for the final delimitation of a part of the boundary has been made in the Treaty dated December 6th, 1922, embodied in the fundamental law constituting the Irish Free State.

The reply of the fourth question is in the affirmative.

As regards the fifth question, the Sub-Committee has taken note of the letter dated April 17th, 1923, from the Irish Free State Minister for External Affairs containing the following declaration:

"The Government of the Irish Free State is prepared to accept the conditions laid down in Article I of the Covenant and to carry out all the obligations involved in membership of the League."

According to the statement made by the Irish delegate before the Sub-Committee, the Irish Parliament has passed a law known as "The League of Nations (Guarantee) Act, 1923", in confirmation of the above-mentioned declaration.

As regards the stipulation of the League concerning armaments, the Sub-Committee has taken note of the report of the Permanent Advisory Commission for Military, Naval and Air Questions. This report is annexed to the present report.

MILITARY, NAVAL AND AIR FORCES OF THE IRISH FREE STATE.

OPINION OF THE PERMANENT ADVISORY COMMISSION.

The Permanent Advisory Commission, recognising that the Irish Free State is a State forming part of the British Empire, and that the Naval, Military and Air requirements of Ireland have been already prescribed in the Irish Free State Constitution Act, 1922, and that the ultimate strength of the forces will be governed by the mutual requirements of the Irish Free State and the other parts of the British Empire:

Considers that there is no need to suggest any modifications to the military, naval and air forces of the Irish Free State such as they result from the above disposition;

Considers, further, that, from a military, naval and air point of view, the existing military, naval and air forces of the Irish Free State constitute no barrier to the admission of the Irish Free State to the League of Nations.

ANNEX 4.

THE RECONSTRUCTION OF AUSTRIA.

REPORT SUBMITTED BY THE SECOND COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. ADOR, Delegate of Switzerland.

Viscount Ishii, President of the Council, in opening the present Assembly, referred to the work of restoration in Austria as undoubtedly the most notable achievement of the League during the past year. The immediate results of this work have had a more striking effect on public opinion, and its moral influence, the force of its example and the lessons to be drawn from it are of a higher importance, than those of any other of the League's achievements.

The reproach has too often been levelled against the League of Nations that it has never done anything beyond laying down broad humanitarian principles and formulating recommendations and resolutions. It is undeniable, however, that the aim of the Austrian question is to find a practical solution for a problem which affects the peace of the world, to save a working population of 6½ millions, and to restore prosperity to a country whose culture and civilisation have enriched the inheritance of mankind.

You will recall the position of Austria a year ago, of which the President of the Council gave a résumé in his speech: the precipitous fall of the crown, impossibility of obtaining new advances from foreign Governments to meet current external expenditure on necessary food-stuffs and raw material. There was a prospect of starvation, of internal trouble and disorder.

The principal condition of reconstruction was the restoration of the confidence of the country in itself — the only means of arresting the crisis, since all the measures taken to prevent the "flight from the crown" proved, as is invariably the case, to be ineffective.

The chief causes of Austria's loss of confidence were the unbalanced economic situation of 1919, which was wrongly regarded as indicative of a permanently unsettled condition; the covering of the budget deficit by inflation; and the impression — also erroneous — that the world would abandon Austria to her fate.

There were many sceptics and pessimists who refused to believe in the restoration of Austria. Even those persons remained pessimistic who thought that Viennese commerce and banking might recover their position and thus restore the economic equilibrium of Austria, and so also did those who believed that strong fiscal measures and a policy of economy would enable the State to meet its needs.

The neighbouring countries, they thought, would not willingly allow Vienna to recover her position as a great international centre.

The victorious but devastated Allies were expected to demand immediate payment of the reparations to which they were entitled, and the amount of these reparations would prevent the balancing of the budget.

Would the Reparation Commission consent to suspend her right of lien on certain of the Austrian assets? What would the creditor States do in respect of advances or credits granted by them? Would not the rest of the world lose confidence, as Austria herself had already done, in the future of the country? and in that case Austrian credit in foreign centres would be utterly destroyed. The speculative foreign purchase of crowns on the prospect of an ultimate recovery of the currency would quickly cease, and with it would disappear the last artificial means of supporting the exchange and maintaining the balancing of accounts.

These consequences were regarded by the pessimists as inevitable, particularly as the rise in prices, due to depreciation of the currency, brought with it the menace of social disturbances, followed by foreign intervention, which would imperil the independence of the new Austrian Republic unless the Austrians themselves were reduced, in despair, to ask one of their stronger and sounder neighbours to admit them into its national unit.

Such were the currents of opinion against which the League of Nations had to contend in dealing with the Austrian problem. A valuable lesson may be drawn from the programme which was prepared for this budget, the method which was employed, and the consequences which have been observed.

The Principles of the Reconstruction Scheme.

The international character of the League was in itself sufficient to reassure certain Austrians whose pessimism was mainly based on the attitude of foreign countries. Accordingly, at the beginning of September 1922, even before it was known whether anything would be attempted,

the mere fact that the Austrian question was being discussed here arrested the fall of the crown, which became stabilised at about 1/15,000 of its par value. This was merely a breathing space, of which advantage had to be taken.

The Protocol of Political Integrity did what was necessary: it guaranteed, as against all foreign countries, the political and economic independence of Austria, which was now disarmed; in short, it confirmed her status as a sovereign State, and thereby provided the necessary foundation for the credit of the country.

This credit had fallen so low that such a confirmation would certainly not in itself have rendered it possible to obtain loans. Political opinion had to be reassured, not merely as to Austria's political future, but also as to her financial situation. A Financial Protocol was drawn up, providing that the necessary loans for the reconstruction of the country should be guaranteed by foreign Governments. Great Britain, France, Czechoslovakia, and subsequently Belgium, Sweden, Denmark, Holland, and, indirectly, Switzerland and Spain, supported Austria's credit by their own, and so enabled her to enter their markets and to restore confidence in her own market, and even to enter the financial market of the United States.

I do not know, gentlemen, of any finer example of disinterested international solidarity.

It was now possible to draw up a complete reconstruction scheme. The optimism displayed by the League of Nations experts with regard to the problem of the budget could not fail to react upon opinion in the country itself.

By a Protocol of Supervision, the Austrian Government undertook to re-establish its budget on a sound basis, with the assistance of a Commissioner-General appointed by the League of Nations. It was decided that the reconstruction period should be two years, and that the amount of the loan required to cover the deficit during this period of transition should be 650 million gold crowns, 520 millions of which represented the special deficit for the two years.

A League of Nations delegation went to Vienna to consider how reduced expenditure might be met out of increased receipts; it established a programme providing for a gradual increase in taxation and decrease in costs, in spite of the continual appearance of new items of expenditure resulting from the service of the new loans. It produced figures to rebut the arguments of those who doubted whether the expenditure of the State could ever be met out of its own financial resources.

Can any case be quoted of a modern country, as highly developed industrially and financially as Austria, in which, if the currency is stable, the taxpayers cannot pay the equivalent of 55 gold crowns per head? The Provisional Delegation, therefore, fixed Austria's annual capacity to pay, and, taking into account this figure, which it calculated at a minimum of 350 million gold crowns, asked that expenditure should be reduced by progressive stages to this sum. 64 %, or 224 millions, were to be set aside for the expenses of the civil administration of the State; 28 %, or 100 millions, for the service of the debt; and only 8 %, or 26 millions, for military expenditure.

The service of the debt, which includes the reconstruction loan, is relatively small, if it is compared with the large amount required in the majority of foreign budgets. The reason is that the depreciation of the currency has resulted in the disappearance of a portion of the old debt. It has also, of course, resulted in the almost entire disappearance of the stockholders, on whom taxation can no longer be imposed. But necessity has compelled them to find other sources of income, and, after a depreciation of currency, taxation must be imposed, not on acquired wealth, but on annual production. The service of the new debt will certainly not require the sums for which provision has been made, and in twenty years it will be completely redeemed and will disappear from the budget.

The problem, therefore, consists in balancing the budget, while at the same time taking into account the additional burdens imposed upon the country by the work of reconstruction. The yield of the loan will be available in the meantime, so that no further advances need be applied for from the Bank of Issue, which has been reorganised and is now completely independent of the State. Subsequently, when the balance has been secured, and when expenditure has been reduced to a level which, by general agreement, the country can undoubtedly support, Austria, with a sound system of public finance, will be able to live unaided.

It should, however, be remembered that the origin of the trouble is an unbalanced economic situation. This was the cause of the first falls in the exchange in 1919; this was the cause of pessimism, of the flight of capital (which only aggravated the unsettled condition of affairs); this was the cause of the budget deficit, of inflation, and of Austria's ultimate ruin. The fundamental idea of the Geneva programme is that the re-establishment of the public finances and the currency on a sound basis will create an atmosphere favourable to the development of private enterprise. The restoration of Austrian credit will enable Austrians to secure foreign investments, which will give new life to their business operations; the stabilisation of the crown will restore Vienna to her former rank as a great financial centre and to her position as an intermediary in international transactions, and will thus enable the Austrian people to work themselves for the reconstruction of Austria's economic life.

As the experts of the League of Nations are aware, the crisis of 1919 was principally the result of the difficulty of immediate adaptation to the conditions prevailing after the partition of the former Empire. They are counting on the profits of the banks and on invisible exports to balance accounts, and also on the economic agreements which Austria will be able to conclude. They place their confidence largely in the initiative of individuals; and experience has not belied them.

Method of Work adopted by the League of Nations.

I have no hesitation in saying that the League of Nations alone could elaborate a coherent plan of this kind, which would fully meet the requirements of the situation, and the League alone could put it into force and carry it out.

The work accomplished in Austria is the most perfect and complete example of the working of the mechanism of the League considered as a single entity, with closely interdependent parts. The Assembly itself, the Council, the Special Sub-Committee of the Council (the Austrian Committee), the eight Governments which assisted Austria through the League, the Committee of Control appointed by these Governments, the Financial Committee, the Economic Committee, the various sections of the Secretariat, the Austrian Government and the Loan Committee appointed by it, and, lastly, the Commissioner-General appointed by the League, have all had their definite role and have all worked together in the closest co-operation as a single great organisation.

It is necessary to recall in outline the method of work adopted and the allocation of duties among these different bodies.

The question came before the League just before the meeting of the Assembly, at a time when the Council and the Financial and Economic Committees were also in session. The presence of the Assembly made it possible for the negotiations to be carried out in an atmosphere of world-wide interest. The Council was the most appropriate body to conduct these negotiations and to obtain from the Governments who accepted the chief responsibility the assurance that the necessary action would be taken. The Economic and Financial Committees were, moreover, able to supply expert advice.

The first step was, in accordance with Article 4 of the Covenant, to invite Austria herself, represented by her Chancellor (Mgr. Seipel), and Czechoslovakia, represented by her Prime Minister (Dr. Bénès), to join the Council as being countries specially interested in the question. A Sub-Committee (the Austrian Committee) was then appointed, consisting of these members with, in addition, the representatives of the British Empire (Lord Balfour), France (M. Hanotaux), and Italy (the Marquis Imperiali).

The composition of this Committee and the organisation of its work afford a typical example of the methods of the League. The Committee made use throughout of the League's technical organisations. It determined at the outset the general outlines of the problem requiring solution and divided the various questions among the different Committees. Within this general outline the Financial Committee gave its advice regarding the comprehensive scheme of financial assistance and administrative reform, the main features of which I have already described. Working within the same general programme, the Economic Committee was asked to consider what immediate economic measures could usefully be recommended. At the same time a Legal Committee, drawn partly from legal experts of the various delegations and partly from the League's permanent staff, advised on such legal questions as presented themselves in the course of the work. The Austrian Committee kept in its own hands the specifically legal aspects of the problem and maintained control over the work of the above Committees by considering the interim report communicated by them as they proceeded with their investigations.

In the course of about four weeks, a comprehensive programme, dealing both with the political and financial aspects of the problem, was established, and the responsibility of the Governments whose action was required was definitely engaged and embodied in protocols.

It appeared likely to be a painful and difficult task to carry the programme through with success, and the scheme therefore provided for the appointment of a Commissioner-General whose duty it would be to ensure, in collaboration with the Austrian Government, that the programme of reforms was carried out, and to supervise its execution. He was to derive power from his control over the disposal of the loans. The Austrian Government agreed that it would not dispose of any funds derived from the loans except by the authorisation of the Commissioner-General, but the conditions which he might attach to his authorisation were to have no other object than that of assuring the progressive realisation of the programme of reform and of avoiding any deterioration of the assets assigned for the service of the loan. The control of the League exercised through the Commissioner-General was thus specifically limited to the precise purposes required by the scheme, and the sovereign independence of Austria was carefully safeguarded.

In addition to the Commissioner-General, there was to be a Commission of Control of the Guaranteeing Governments, to watch over the specific interests of the Guaranteeing Powers.

I would like to point out how this necessarily elaborate measure has been put into operation and has worked with complete success and efficiency. I would also call attention to the extremely small cost involved in the working of the scheme. The total cost to the League, including the long and continuous work of some of the first experts in the world, has amounted up to date to some £7,000, even if we include an allowance for the proportionate salaries of the permanent members of the Secretariat. This result has been made possible owing to the disinterestedness of the distinguished members of the Committees of the League, who include some of the leading bankers and financial experts of the world and who were prepared to give their services voluntarily. The members of the Financial Committee, for example, either collectively or in rotation, worked continuously on the Austrian scheme at Geneva and in Vienna from August 29th to December 15th of last year, and the expense to the League consisted of nothing but travelling and subsistence allowances. It would be difficult to find an example of so great a result at so little cost. This will be realised if this expenditure is compared with the cost of the piecemeal assistance afforded to Austria during the three years following the war. Viscount Ishii has pointed out that this assistance involved an irrecoverable expenditure of more than £ 25,000,000 and produced merely temporary results. The action taken by the League, on the other hand, appears to have produced permanent results.

My principal aim now is to describe the present situation and the lessons which it teaches.

Execution of the Programme and Conclusions to be deduced from it.

The Second Committee, which has entrusted me with the preparation of this report to the Assembly, has been fortunate enough to hear Dr. Zimmerman, the Commissioner-General of the League in Austria, who has submitted to it a complete report on the results so far obtained.

I may say that the Committee was deeply stirred when hearing this report.

How different was the situation a year ago! And what hopes may we not conceive when we realise the wonderful effects of international collaboration!

The League of Nations' Austrian scheme has been in operation for a period of one year. The principle of the scheme and the method followed are in themselves instructive, but how much more interesting are the facts which have come to our knowledge!

Confidence was immediately restored, credit has been re-established and foreign countries have shown a deep interest in the progress of Austria.

Exceptionally rapid progress has been made towards budget equilibrium, and that in a State which had been sapped for years by deficit; waste has been abolished and all the estimates regarding revenue from taxation — that is to say, the fiscal capacity of the country — have been far exceeded.

Capital has returned from abroad, and there has been a great influx of foreign capital; private economy has been reorganised on a stable basis, after a crisis which was inevitable; the traditional business of Austria — banking — has made great progress, private fortunes have been reconstituted (though they are now differently distributed), the stock of public securities has been reconstituted, and the rate of exchange has thereby been stabilised from the outset.

These are some of the extraordinary facts which inevitably occur in any country which passes from a time of panic to a period of renewed confidence, from a policy of inflation to a sound system of stabilisation.

The Protocol of Political Integrity, the Financial Protocol of Guarantee for the loans, the drawing-up of an annual budget on a reasonable scale, the Protocol of Reform which ensured practical and disinterested supervision, and, above all, the interest aroused throughout the world by the intervention of the League of Nations, re-established credit and restored faith.

It was quite impossible, however, to understand the exact value of this change in public opinion. Its real importance could only be accurately gauged by the results of the international loan issued this summer after a technical work of preparation which the League of Nations alone could undertake.

The success achieved shows the confidence of the public. It furnishes incontrovertible proof that the system of international guarantees devised by the League of Nations constitutes the best solution for the gravest financial crisis. The co-operation of American capital in a work of European reconstruction is not only encouraging but symbolic.

The success of the loan is but one of the proofs of the rehabilitation of Austrian credit. The sums invested by foreigners in the private undertakings of the country, during the last six months in particular, are a reassuring indication of the restoration of confidence and of faith in the future. The action of these forces has made itself profoundly felt in the development of the economic life of the country.

Finally, the Austrians themselves have shown a renewed faith in their currency. During a period when the high rate of interest on the market did not render Savings-Bank deposits very attractive, the latter rose from 31 milliards in September 1922 to 400 milliards at the end of July 1923, an increase of about 1200 % in gold, the crown having maintained its value. No other indication could better prove the return to habits of economy as a result of the achievement of stability and the restoration of the financial organisation.

In order to learn the lessons taught by the execution of the programme of Austrian reconstruction, it is enough to let facts speak for themselves. They are no less eloquent in the domain of the budget than in that of credit.

In October 1922, the monthly expenditure amounted to 860 milliards. The Provisional Delegation of the League of Nations asked that it should be reduced to a monthly average of 719 milliards for the first half of 1923, and 643 for the second half-year. In point of fact, the average expenditure for the first half of the year amounted to only 712 milliards and the estimates for August and September do not exceed 643 milliards.

The receipts for October were only 288 milliards; the Delegation estimated the average receipts at 380 milliards for the first half-year and 453 milliards for the second half-year. The actual monthly average of receipts for the first half-year amount to 506 milliards and the receipts for July are 100 milliards in excess of the estimates.

In these circumstances, a saving of 42 milliards on the estimates of the programme was realised during the first half-year, the excess of receipts being 756 milliards. The deficit for the six months was thus nearly 800 milliards, or 56 million gold crowns less than the Delegation's estimates. It was, therefore, not necessary to draw on the loans for the total amounts required to cover the deficit during the current financial periods. The energy of the Government, the enlightened control of the Commissioner-General, rendered possible the constitution of a reserve fund which may be employed to meet any unforeseen expenditure incurred during the course of the next few months.

The money provided by the loans is kept in a special reserve account, from which the Government can only withdraw funds each month with the authorisation of the Commissioner-General. The same is the case with receipts from Customs and tobacco, on which the loans are secured: here the receipts have risen from 100 milliards per month, when the work of reconstruction began, to 230 milliards in July. Receipts from January to June, that is to say for six months only, are distinctly higher than the sums required for a whole year's service of the reconstruction loan. It is, therefore, reasonable to hope that it will never be necessary to have recourse to the guarantee

of the Powers which stood surety for Austria. Success will probably be achieved without any expense on their part.

The monthly deficit, which in October 1922 amounted to 572 milliards, has been successively fixed by the Commissioner-General at:

404	milliards for	January,
372	»	» February,
308	»	» March,
305	»	» April,
304	»	» May,
303	»	» June,
276	»	» July,
263	»	» August,
218	»	» September.

The Commissioner-General is confident that it will be completely wiped out by the end of 1924.

I would draw your attention, gentlemen, to these facts. There is a lesson to be learnt from them.

So brilliant a result has obviously not been achieved without great efforts. Increased taxation and, above all, more satisfactory receipts; decreased expenditure, in the first instance a comparatively simple problem, but one which afterwards becomes increasingly difficult. In more or less close accordance with the requirements of the scheme, 46,000 officials had been dismissed up to July as against the 50,000 dismissals provided for. A similar number will have to be dismissed during the next twelve months and our efforts, therefore, cannot be relaxed.

We cannot, however, conceal the fact that, while economies are being effected, new expenditure consequent on a return to sound conditions is making its appearance: for example, the indispensable repairs of roads and buildings which have been neglected for the last ten years, capital improvements which are necessary for the amelioration of the general economic situation, the service of the new public debt and the adjustment of the salaries of Government employees, who are not less numerous but many of whom are insufficiently paid. An unsound financial system entails unnecessary expense, but it also entails the neglect of necessary expenditure. The elimination of abuses undoubtedly allows economies to be effected, but it also permits normal needs previously neglected to be adequately provided for.

Is it not indeed this return to normal conditions which characterises the Austrian situation to-day in every department?

We have been particularly glad to hear the Commissioner-General describe the economic adaptation which has taken place according to the expectations of the League experts.

"The Austrian crown", he said, "has for the last year been the most stable currency in Europe."

It would even have risen sharply in value if the official currency policy had not been one of stabilisation. The public was expecting a rise, and consequently, at the end of the year 1922, there was a significant return of capital previously converted into foreign currencies; the new Bank of Issue absorbed it and thereby constituted its reserve; the crowns which it issued to the public were largely newly printed notes, but as these notes were issued solely for the purpose of buying gold, the proportion of cover for the total amount of notes issued increased daily. It reached 53 % in August. The cash reserve, which was practically nil at the start, amounted to 93 millions of gold crowns on January 1st, when the new Bank of Issue commenced operations, and 235 millions at the end of July. The notes in circulation amount to 5½ trillion paper crowns, which hardly exceed 57 gold crowns or 12 dollars per head of the population.

The necessity for a stabilisation policy which would permit of these desirable results was not at first universally understood. Many would have wished the Government to use the re-establishment of equilibrium and the revival of confidence to bring about an improvement in the currency. Experience shows that any improvement in the rate of exchange could only have aggravated the economic crisis. This is shown very clearly by Dr. Zimmerman in his excellent report to the Second Committee.

Allow me to quote his exact words, which are very encouraging for the financial future of other countries than Austria. "An organism", he said, "which has adapted itself to the process of depreciation cannot suddenly return to its former conditions of life nor can manufacturers again learn how to transact business in a stable currency without passing through a serious crisis. This change of front in itself could not be effected without economic disturbance. Was it to be further complicated by a crisis due to the appreciation of the currency?"

"In February 1923 the number of unemployed rose to 170,000. It afterwards decreased steadily to the present figure of approximately 80,000. In consequence of the adjustment of values which was made possible by stabilisation, Austria fortunately escaped the other consequence usual in a crisis, namely, an increase in bankruptcies. Concurrently with prices, scales of charges and wages reached a level corresponding with the gold parity of the stabilised crown; shares and Stock Exchange securities rose with a rapidity which is probably unparalleled in financial history since the gold mine movement.

"During the period of depreciation, their value in paper crowns had not risen in proportion to the rise in foreign exchanges, even if account be taken of the dilution of capital. This leeway was made up in 1923. In three weeks, securities rose to ten times their value in stabilised crowns, that is to say, in gold. There was a remarkable rise, which averaged 500 %, throughout the whole Vienna market. The general index figure of Stock Exchange shares rose from 500 in September 1922 to 700 in March and 2,500 in July. Thus the adjustment of private fortunes which followed

automatically made it possible to overcome the economic crisis and ensured the collection of the taxes."

This observation must surely seem to justify considerable hopes. Once the conditions for a return of confidence have been secured, the spontaneous adjustment of the general economy within sounder limits seems bound to be fully realised. It is to be hoped that Europe as a whole will follow this example, and that, with the solution of the acute problems by which it is at present disturbed, the Continent will experience a return of prosperity and happiness.

It is so reassuring and encouraging to note the consequences of the intervention of the League of Nations in a problem such as that of the reconstruction of Austria that I should not have felt justified in failing to remind you how the results obtained have been secured, and how important and significant they are.

Vienna has regained her rank as a great international centre. So far from aggravating the difficulties of the little country of which she is the great capital, she alone can restore its balance and its life.

Austria is recovering. The day in which the League of Nations took charge of her future was the day of her salvation.

Everything — the achievement of reforms, the rebirth of her prosperity — now depends on Austria herself. I feel sure that the Assembly will desire to convey to Austria its admiration and sympathy. It will encourage her in her recovery, and will, at the same time, note with satisfaction the work accomplished by the League of Nations, and offer its hearty congratulations to all who have collaborated in that work, and who are still devoting themselves to it.

I will conclude by emphasising the words of the distinguished President of the Council: "The first great piece of reconstructive work achieved since the war", he said, "was due entirely to international co-operation; it undoubtedly constitutes an historical event of the first order, and marks a memorable date in the evolution of mankind."

On behalf of the Second Committee, I have the honour to submit to the Assembly the following resolution:

"The Assembly,

Having examined the report presented to it by the Provisional Economic and Financial Organisation with regard to the work of reconstruction in Austria and the account of the same work included in the general report of the Council to the Assembly which contains a summary of the information furnished in the Monthly Reports of the Commissioner-General:

"(I) Notes with great satisfaction the success of the most notable effort of economic reconstruction since the war.

It desires to emphasise that it was only through a scheme based on international co-operation through the League that this result could be obtained — a scheme comprehensive in itself, worked out in full technical detail by the League's experts and enforced by control exercised through a high officer of the League.

"(II) Notes the remarkable effect of re-established confidence as illustrated by the support for the currency afforded by the returning financial resources of Austrians themselves, by the large increase of savings and by the establishment of the economic life of the country on a sounder and more stable basis.

"(III) Notes with satisfaction the way in which both the technical organisations and the rest of the mechanism of the League have proved sufficiently adaptable and efficient for a task of such magnitude and complexity. It notes too that the interested efforts of those who have collaborated through the technical organisations have reduced the expenses of the League itself to the smallest dimensions.

"(IV) Emphasises further that the reforms already effected in Austria and those which may still be expected, combined with increased revenue, are such as to afford a reasonable belief that the task undertaken last year will be carried through with complete success. It notes that the increase in the revenues given as security for the service of the loan justify the hope that it will not be necessary to appeal to the Guaranteeing Powers who, by their own credit, have supported the credit of Austria.

"(V) Desires to express to the Austrian Government its appreciation of the energy with which it has followed the path of reform, and for the courage with which the Austrian people have accepted the necessary sacrifices and have thus made an invaluable contribution to the economic restoration of the world; it congratulates the Austrian Government on the rapid progress in the recovery of the country and it expresses the confident hope that Austria will continue without relaxation the administrative reforms which are still necessary to set the life of the country on a permanently sound economic and financial basis and place her in the position of self-supporting prosperity and secure independence.

"It desires at the same time to express its warm appreciation of the notable work of the Commissioner-General, Dr. Zimmerman, whose ability, impartiality, and devotion have so greatly assisted Austria.

"It desires also to express its thanks for their work to the Secretariat of the League of Nations, to the technical organisations, and, in particular, to the Financial Committee and to all those who in many countries have assisted in conducting the financial operations to a successful issue."

ANNEX 5.

REPORT TO THE FOURTH ASSEMBLY OF THE LEAGUE ON THE WORK OF THE COUNCIL, ON THE WORK OF THE SECRETARIAT AND ON THE MEASURES TAKEN TO EXECUTE THE DECISIONS OF THE ASSEMBLY.

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¹ In order to avoid duplication, Section I of this report as it was distributed to the fourth Assembly has been replaced by Document A.10.(a).Annex.1923, which comprises a comprehensive survey of the progress of international conventions and engagements and which is therefore more detailed than Section I, but contains all the information given in that section.

Note.— A supplementary report on the work accomplished since June 28th will be circulated on the opening day of the fourth Assembly.

1.

PROGRESS OF INTERNATIONAL CONVENTIONS AND ENGAGEMENTS
AS INDICATED BY INSTRUMENTS DEPOSITED WITH THE SECRETARIAT OF THE LEAGUE OF NATIONS OR BY TREATIES WITH WHICH THE WORK OF LEAGUE ORGANISATIONS IS SPECIALLY CONCERNED.

I. INTERNATIONAL LABOUR CONVENTIONS¹.

1. Convention limiting the hours of work in industrial undertakings, adopted as a Draft Convention by the First International Labour Conference on November 28th, 1919.

This Convention has been ratified by and is in force between:

Bulgaria
Czechoslovakia
Greece
India
Roumania.

2. Convention concerning unemployment, adopted as a Draft Convention by the First International Labour Conference on November 28th, 1919.

This Convention has been ratified by and is in force between:

Bulgaria	Greece	Roumania
Denmark	India	Spain
Esthonia	Italy	Sweden
Finland	Japan	Switzerland.
Great Britain	Norway	

3. Convention concerning the employment of women before and after childbirth, adopted as a Draft Convention by the First International Labour Conference on November 29th, 1919.

This Convention has been ratified by and is in force between:

Bulgaria
Greece
Roumania
Spain.

4. Convention concerning the employment of women during the night, adopted as a Draft Convention by the First International Labour Conference, November 28th, 1919.

This Convention has been ratified by and is in force between:

Bulgaria	Greece	Roumania
Czechoslovakia	India	South Africa
Esthonia	Italy	Switzerland.
Great Britain	Netherlands	

5. Convention fixing the minimum age of children employed in industry, adopted as a Draft Convention of the First International Labour Conference on November 28th, 1919.

This Convention has been ratified by and is in force between:

Bulgaria	Esthonia	Roumania
Czechoslovakia	Great Britain	Switzerland.
Denmark	Greece	

¹ See *Official Bulletin* of the International Labour Office, June 13th, 1923, pp. 227 ff.

6. Convention concerning night work of young persons employed in industry, adopted as a Draft Convention by the First International Labour Conference on November 28th, 1919.

This Convention has been ratified by and is in force between:

Bulgaria ^c	Great Britain	Italy
Denmark	Greece	Roumania
Esthonia	India	Switzerland.

7. Convention on the prohibition of the use of white phosphorus in the manufacture of matches, Berne, 1906 (forming the subject of a Recommendation adopted by the First International Labour Conference on November 28th, 1919).

This Convention has been ratified since the International Labour Conference of Washington, 1919, as follows:

Australia	Danzig	Japan
Austria	Esthonia	Poland
Belgium	Finland	Roumania
Czechoslovakia	India	Sweden.

8. Convention fixing the minimum age for admission of children to employment at sea, adopted as a Draft Convention by the Second International Labour Conference on July 9th, 1920

This Convention has been ratified by and is in force between:

Bulgaria
Esthonia
Great Britain
Roumania
Sweden.

9. Convention concerning unemployment indemnity in case of loss or foundering of the ship, adopted as a Draft Convention by the Second International Labour Conference on July 9th, 1921.

This Convention has been ratified by and is in force between:

Bulgaria
Esthonia.

10. Convention for establishing facilities for finding employment for seamen, adopted as a Draft Convention by the Second International Labour Conference on July 10th, 1920.

This Convention has been ratified by and is in force between:

Bulgaria	Finland	Norway
Esthonia	Japan	Sweden.

11. Convention concerning the age for admission of children to employment in agriculture, adopted as a Draft Convention by the Third International Labour Conference, on November 16th, 1921.

This Convention has been ratified by and is in force between:

Czechoslovakia
Esthonia.

12. Convention concerning the rights of association and combination of agricultural workers, adopted as a Draft Convention by the Third International Conference on November 12th, 1921.

This Convention has been ratified by and is in force between:

Czechoslovakia
Esthonia
Finland
Great Britain
India.

13. Convention concerning workmen's compensation in agriculture, adopted as a Draft Convention by the Third International Labour Conference on November 12th, 1921.

This Convention has been ratified by and is in force between:

Denmark
Esthonia
Great Britain

14. Convention concerning the use of white lead in painting, adopted as a Draft Convention by the Third International Labour Conference on November 19th, 1921. °

This Convention has been ratified by and is in force between:

Czechoslovakia
Esthonia.

15. Convention concerning the application of the weekly rest in industrial undertakings, adopted as a Draft Convention by the Third International Labour Conference on November 17th, 1921.

This Convention has been ratified by and is in force between:

Czechoslovakia
Finland
India
Roumania.

16. Convention fixing the minimum age for the admission of young persons to employment as trimmers or stokers, adopted as a Draft Convention by the Third International Labour Conference on November 11th, 1921.

This Convention has been ratified by and is in force between:

Esthonia
India.

17. Convention concerning compulsory medical examination of children and young persons employed at sea, adopted as a Draft Convention by the Third International Labour Conference on November 11th, 1921.

This Convention has been ratified by and is in force between:

Esthonia
India.
Roumania.

II. TRANSIT AND COMMUNICATIONS¹.

1. Convention on Freedom of Transit. Barcelona, April 20th, 1921².

(a) This Convention has been signed by:

Albania	Finland	New Zealand
Austria	France	Norway
Belgium	Greece	Panama
Bolivia	Guatemala	Persia
British Empire	India	Poland
Bulgaria	Italy	Roumania
Chile	Japan	Spain
China	Latvia	Sweden
Czechoslovakia	Lithuania	Switzerland
Denmark	Luxemburg	Uruguay.
Esthonia	Netherlands	

(b) This Convention has been ratified by:

Albania	Denmark	Italy
British Empire	Finland	New Zealand
Bulgaria	India	Norway.

(c) This Convention has been adhered to by:

Siam;

and, subject to ratification, by:

Colombia.

¹ See Article 23 (a) of the Covenant of the League of Nations.

² This Convention came into force ninety days after ratification by five Powers. See League of Nations *Treaty Series*, Vol. VII, p. 11; Vol. XI, p. 406.

2. Convention on the Regime of Navigable Waterways of International Concern. Barcelona, April 20th, 1921¹.

(a) This Convention has been signed by:

Albania	Denmark	Luxemburg
Austria	Esthonia	New Zealand
Belgium	Finland	Norway
Bolivia	France	Panama
British Empire	Greece	Portugal
Bulgaria	Guatemala	Spain
Chile	India	Sweden
China	Italy	Uruguay
Czechoslovakia	Lithuania	

(b) This Convention has been ratified by:

Albania	Denmark	Italy
British Empire	Finland	New Zealand
Bulgaria	India	Norway

(c) This Convention has been adhered to by:

Siam
and subject to ratification by:
Colombia
Roumania

3. Additional Protocol to the Convention on the Regime of Navigable Waterways of International Concern. Barcelona, April 20th, 1921².

(a) This Protocol has been signed by:

Albania	Czechoslovakia (naturally navigable waterways)	New Zealand
Austria	Denmark	Norway
Belgium	Finland (naturally navigable waterways)	Portugal
British Empire	Greece	Spain
Chile	India	Sweden

(b) This Protocol has been ratified by:

Albania
British Empire
Denmark
Finland (naturally navigable waterways)
India
New Zealand

(c) This protocol has been adhered to by:

Siam

4. Declaration recognising the Right to a Flag of States having no Sea-Coast. Barcelona, April 20th, 1921³.

(a) This Declaration has been signed by:

Albania	France	Panama
Austria	Greece	Persia
Belgium	Guatemala	Poland
Bolivia	India	Portugal
British Empire	Italy	Kingdom of the Serbs, Croats and Slovenes
Bulgaria	Japan	Spain
Chile	Latvia	Sweden
China	Lithuania	Switzerland
Czechoslovakia	Netherlands	Uruguay
Denmark	New Zealand	
Esthonia	Norway	

(b) This Declaration has been ratified or is already considered as binding without ratification by:

Albania	Denmark	Netherlands
Australia	Finland	New Zealand
British Empire	France	Siam
Bulgaria	India	South Africa
Canada		

¹ This Convention came into force ninety days after ratification by five Powers. See *League of Nations Treaty Series* Vol. VII, p. 35; Vol. XI, p. 406.

² This Protocol came into force on the ratification by two Powers, the Convention having then come into force. See *League of Nations Treaty Series*, Vol. VII, p. 65; Vol. XI, p. 406.

³ See *League of Nations Treaty Series*, Vol. VII, p. 74; Vol. XI, p. 410.

(c) This Declaration has been adhered to, subject to ratification, by:

Roumania

5. Convention establishing the Attributions and Functions of the Technical Permanent Commission of the Regime of the Waters of the Danube. Paris, May 27th, 1923¹.
This Convention has been signed by:

Austria
Czechoslovakia
Hungary
Roumania
Kingdom of the Serbs, Croats and Slovenes

6. Convention relating to the Regime of the Straits. Lausanne, July 24th, 1923¹.
This Convention has been signed by:

British Empire	Italy	Russia
Bulgaria	Japan	Kingdom of the Serbs, Croats and Slovenes
France	Roumania	Turkey
Greece		

III. PROTECTION OF RACIAL, RELIGIOUS AND LINGUISTIC MINORITIES.

Provisions for the protection of Minorities were included in the Treaty of Peace between the Allied Powers and Austria, September 10th, 1919; the Treaty of Peace between the Allied Powers and Bulgaria, November 27th, 1919; the Treaty of Peace between the Allied Powers and Hungary, June 4th, 1920; and the Treaty of Peace between the Allied Powers and Turkey, July 24th, 1923.

Special treaties for the protection of Minorities were entered into, also, between the Principal Allied and Associated Powers and Poland, June 28th, 1919; the Principal Allied and Associated Powers and Czechoslovakia, September 10th, 1919; the Principal Allied and Associated Powers and the Kingdom of the Serbs, Croats and Slovenes, September 10th, 1919; the Principal Allied and Associated Powers and Roumania, December 9th, 1919; and the Principal Allied and Associated Powers and Greece, August 10th, 1920. This last has not been ratified².

Provisions for the protection of Minorities are also to be found in the Germano-Polish Convention relating to Upper Silesia, May 15th, 1922.

1. Declaration by Albania, October 2nd, 1921³.

This Declaration has been ratified by Albania.

2. Declaration by Finland as to the Aaland Islands, June 26th, 1921.

3. Declaration by Latvia, July 7th, 1923.

This Declaration was approved by the Latvian Government, July 19th, 1923.

4. Declaration by Lithuania, May 12th, 1923.

5. Convention between Bulgaria and Greece respecting Reciprocal Emigration. Neuilly-sur-Seine, November 27th, 1919⁴.

This Convention has been ratified by:

Bulgaria
Greece

6. Convention concerning the exchange of Greek and Turkish Populations, January 30th, 1923.

This Convention was signed by:

Greece
Turkey

IV. TRAFFIC IN WOMEN AND CHILDREN⁵.

1. Agreement for the Suppression of the White Slave Traffic. Paris, March 18th, 1904⁶.

(a) This Convention has been signed by:

Belgium	Italy	Russia
Denmark	Netherlands	Spain
France	Norway	Sweden
Germany	Portugal	Switzerland
Great Britain		

¹ Ratification is still pending.

² In connection with the Treaty with Greece, see also the Protocol signed at Lausanne, July 24th, 1923.

³ League of Nations *Treaty Series*, Vol. IX, p. 173.

⁴ *Ibid.*, Vol. I, p. 67.

⁵ See Article 23 (c) of the Covenant of the League of Nations.

⁶ League of Nations *Treaty Series*, Vol. I, p. 83; Vol. XI, p. 355.

(b) This Convention has been ratified by:

Belgium	Italy	Russia
Denmark	Netherlands	Spain
France	Norway	Sweden
Germany	Portugal	Switzerland
Great Britain		

(c) This Convention has been adhered to by:

Australia	Dutch Indies	Newfoundland
Austria-Hungary	French Colonies	New Zealand
Brazil	German Colonies	Poland
Bulgaria	India	Siam
Canada	Luxemburg	Tunis
Czechoslovakia	Monaco	United States of America
Danzig	Morocco	Uruguay

British Colonies:

Bahamas	Hong-Kong	Senegambia
Barbados	Jamaica	Seychelles Isles
Central Africa	Kenya	Sierra Leone
Ceylon	Leeward Isles	Somaliland
Cyprus	Malta	Straits Settlements*
Fiji Islands	Northern Nigeria	Trinidad
Gibraltar	Nyasaland	Uganda
Gold Coast	Rhodesia (Southern)	Wei-Hai-Wei
Guiana (British)	St. Helena	Windward Isles

2. Convention for the Suppression of the White Slave Traffic. Paris, May 4th, 1910.

(a) This Convention has been signed by:

Austria-Hungary	Germany	Portugal
Belgium	Great Britain	Russia
Brazil	Italy	Spain
Denmark	Netherlands	Sweden
France		

(b) This Convention has been ratified by:

Austria-Hungary	Germany	Portugal
Belgium	Great Britain	Russia
France	Netherlands	Spain

(c) This Convention has been adhered to by:

Bulgaria	India	Poland
Canada	Monaco	Siam
Czechoslovakia	Morocco	Surinam and Curaçao
Danzig	Newfoundland	Tunis
Dutch East Indies	New Zealand	Uruguay
French Colonies	Norway	

British Colonies:

Bahamas	Hong-Kong	Southern Rhodesia
Ceylon	Jamaica	Straits Settlements
Cyprus	Kenya	Trinidad
Fiji Islands	Malta	
Gibraltar	Nyasaland	

3. Convention for the Suppression of the Traffic in Women and Children. Geneva, September 30th, 1921.¹

(a) This Convention has been signed by:

Albania	Czechoslovakia	Netherlands
Australia	Estonia	New Zealand
Austria	Germany	Norway
Belgium	Great Britain	Persia
Brazil	Greece	Poland and Free City of Danzig
Canada	Hungary	Portugal
Chile	India	Roumania
China	Italy	Siam
Colombia	Japan	South Africa
Costa Rica	Latvia	Sweden
Cuba	Lithuania	Switzerland

¹ League of Nations Treaty Series, Vol. IX, p. 415.

(b) This Convention has been ratified by:

Australia	Great Britain	Portugal
Austria	Greece	Siam
Belgium	India	South Africa
Canada	New Zealand	
Cuba	Norway	

(c) This Convention has been adhered to by:

Denmark	Ceylon	Nyasaland
Finland	Cyprus	North Rhodesia
Panama	Fiji	South Rhodesia
	Gibraltar	St. Lucia
Bahamas	Grenada	St. Vincent
Barbados	Hong-Kong	Seychelles
British Guiana	Kenya	Straits Settlements
British Honduras	Malta	Trinidad

V. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS¹.

1. International Opium Convention. The Hague, January 23rd, 1912².

(a) This Convention has been signed by:

America, United States of	Finland	Nicaragua
Argentina	France	Norway
Belgium	Germany	Panama
Bolivia	Great Britain ³	Paraguay
Brazil	Guatemala	Persia
Bulgaria	Haiti	Peru
Chile	Honduras	Portugal
China	Italy	Roumania
Colombia	Japan	Russia
Costa Rica	Latvia	Salvador
Cuba	Lithuania	Siam
Danzig	Luxemburg	Spain
Denmark	Mexico	Sweden
Dominican Republic	Monaco	Switzerland
Ecuador	Montenegro	Uruguay
Esthonia	Netherlands	Venezuela

(b) This Convention has been ratified or adhered to by:

America, United States of	France ⁴	Panama ⁴
Austria ⁴	Germany ⁴	Peru ⁴
Belgium	Great Britain	Poland ⁴
Bolivia ⁴	Greece ⁴	Portugal ⁴
Brazil	Guatemala	Roumania ⁴
Bulgaria	Haiti ⁴	Salvador
Chile	Honduras	Kingdom of the Serbs, Croats and Slovenes ⁴
China	Hungary ⁴	Siam
Cuba ⁴	Italy	Spain
Czechoslovakia ⁴	Japan ⁴	Sweden
Danzig	Liberia ⁴	Uruguay
Denmark	Luxemburg	Venezuela
Dominican Republic	Netherlands	
Ecuador	Nicaragua	
Finland	Norway	

¹ See Article 23 (c) of the Covenant of the League of Nations.

² League of Nations *Treaty Series*, Vol. VIII, p. 187; Vol. XI, p. 414.

³ The Convention was signed by Great Britain for the following Dominions, Colonies, Dependencies and Protectorates:

Australia	Gold Coast	Seychelles
Bahamas	Hong-Kong	Sierra Leone
Barbados	India	Solomon Islands Protectorate
Basutoland	Jamaica	Somaliland
Bechuanaland Protectorate	Johore	South Africa
Bermuda Islands	Kedah	Southern and Northern Rhodesia
British Guiana	Kelantan	Southern Borneo
British Honduras	Leeward Islands	Southern Nigeria
Brunei	Malay Protectorates	Straits Settlements
Canada	Malta	Swaziland
Ceylon	Mauritius	Trengganu
Cyprus	Newfoundland	Trinidad
East African Protectorate	New Zealand	Uganda
Falkland Islands	Northern Nigeria	Wei-hai-Wei
Fiji	Nyasaland	Windward Islands
Gambia	Perlis	Zanzibar
Gibraltar	St. Helena	
Gilbert and Ellis Islands Prot.	Sarawak	

⁴ Indicates ratification in virtue of Article 295 of the Treaty of Versailles of the corresponding article of one of the other Treaties of Peace.

2. Protocol respecting the putting into force of the International Opium Convention, drawn up in virtue of the Final Protocol of the Third International Opium Conference, 1914.

This Protocol has been signed by:

America, United States of	Germany ¹	Norway
Austria ¹	Great Britain ¹	Panama ¹
Belgium	Greece ¹	Peru ¹
Bolivia ¹	Guatemala ¹	Poland ¹
Brazil ¹	Haiti ¹	Portugal ¹
Bulgaria ¹	Honduras	Roumania ¹
Chile	Hungary ¹	Kingdom of the Serbs, Croats, and Slovenes ¹
China	Italy ¹	Siam ¹
Cuba ¹	Japan ¹	Spain
Czechoslovakia ¹	Liberia ¹	Sweden
Denmark	Luxemburg	Uruguay ¹
Finland	Netherlands	Venezuela
France ¹	Nicaragua ¹	

VI. TRAFFIC IN ARMS².

1. Convention for the Control of the Trade in Arms and Ammunition, Saint-Germain-en-Laye, September 10th, 1919³.

(a) This Convention was signed by:

America, United States of	Ecuador	Panama
Belgium	France	Poland
Bolivia	Greece	Portugal
British Empire	Hedjaz	Roumania
China	Italy	Kingdom of the Serbs, Croats and Slovenes
Cuba	Japan	Siam
Czechoslovakia	Nicaragua	

(b) This Convention has been ratified or adhered to by:

Brazil	Finland	Peru
Bulgaria	Greece	Siam
Chile	Guatemala	Venezuela
China	Haiti	

VII. TRAFFIC IN LIQUOR.

1. Convention relating to the Liquor Traffic in Africa, Saint-Germain-en-Laye, September 10th, 1919⁴.

(a) This Convention was signed by:

America, United States of	France	Japan
Australia	Great Britain	New Zealand
Belgium	India	Portugal
Canada	Italy	Union of South Africa

(b) This Convention has been ratified by:

Belgium
British Empire
France
Portugal

VIII. AERIAL NAVIGATION.

1. Convention relating to the Regulation of Aerial Navigation. Paris, October 13th, 1919⁵.

(a) This Convention has been signed by:

America, United States of	Ecuador	Portugal
Belgium	France	Roumania
Bolivia	Greece	Kingdom of the Serbs, Croats and Slovenes
Brazil	Guatemala	Siam
British Empire	Italy	Uruguay
China	Japan	
Cuba	Panama	
Czechoslovakia	Poland	

¹ Indicates signature in virtue of Article 295 of the Treaty of Versailles or the corresponding article of one of the other Treaties of Peace.

² See Article 23 (d) of the Covenant of the League of Nations.

³ League of Nations *Treaty Series*, Vol. VII, p. 331; Vol. XI, p. 412. The Convention came into force on the deposit of two ratifications.

⁴ League of Nations *Treaty Series*, Vol. VIII, p. 11, Vol. XI, p. 412. The Convention came into force on the deposit of two ratifications.

⁵ League of Nations *Treaty Series*, Vol. XI, p. 173.

(b) This Convention has been ratified by:

Belgium
Bolivia
British Empire

France
Greece
Japan

Portugal
Kingdom of the Serbs, Croats
and Slovenes
Siam.

IX. REVISION OF BERLIN AND BRUSSELS ACTS RELATING TO AFRICAN TERRITORIES.

1. Convention revising the General Act of Berlin, February 26th, 1885, and the General Act and Declaration of Brussels, July 2nd, 1890. Saint-Germain-en-Laye, September 10th, 1919¹.

(a) This Convention was signed by:

America United States of
Australia
Belgium
Canada

France
Great Britain
India
Italy

Japan
New Zealand
Portugal
Union of South Africa

(b) This Convention has been ratified by:

Belgium

British Empire

France

X. HEALTH².

1. Sanitary Convention between Poland and Roumania. Warsaw, December 20th, 1922.

This Convention has been signed and ratified by:

Poland
Roumania

2. Sanitary Convention between Poland and the Russian, Ukrainian and the White Russian Socialistic Federative Soviet Republic. Warsaw, February 17th, 1923.

This Convention has been signed by:

Poland
Russia

3. Sanitary Convention between Germany and Poland. Dresden, December 18th, 1922.

This Convention has been signed by:

Germany
Poland

4. Sanitary Convention between Poland and Czechoslovakia. Warsaw, 1922.

This Convention has been signed by:

Czechoslovakia
Poland

5. Sanitary Convention between Poland and Latvia. Warsaw, July 7th, 1922.

This Convention has been signed by:

Latvia
Poland

6. Sanitary Convention between Esthonia and the Russian, Ukrainian and the White Russian Socialistic Federative Soviet Republic. Tartu, June 25th, 1922.

This Convention has been signed and ratified by:

Esthonia
Russia

7. Sanitary Convention between Latvia and the Russian, Ukrainian and the White Russian Socialistic Federative Soviet Republic. Tartu, June 24th, 1922.

¹ League of Nations *Treaty Series*, Vol. VIII, p. 25.

² See Article 23 (f) of the Covenant of the League of Nations. The Sanitary Conventions which have been entered into have resulted chiefly from the work of the Health Conference held under the auspices of the League of Nations at Warsaw, March, 1922. At that Conference the following recommendation was adopted on March 28th, 1922: "That the States concerned and directly threatened should, as soon as possible, take steps to conclude special health agreements, the clauses of which will naturally differ according to the special conditions in the various States, but which will conform to the principles enunciated by the Conference."

This Convention has been signed and ratified by:

Latvia
Russia

8 Sanitary Convention between Bulgaria and the Kingdom of the Serbs, Croats and Slovenes, April 1923.

XI. AALAND ISLANDS.

1 Convention relating to the Non-Fortification and Neutralisation of the Aaland Islands. Geneva, October 20th, 1921¹.

This Convention was signed and ratified by:

British Empire	France	Latvia
Denmark	Germany	Poland
Estonia	Italy	Sweden
Finland		

XII. UPPER SILESIA.

1. German-Polish Convention relating to Upper Silesia. Geneva, May 15th, 1922².

This Convention was signed and ratified by:

Germany
Poland

XIII. FINANCIAL RESTORATION OF AUSTRIA.

1. Protocol No. I (Declaration). Geneva, October 4th, 1922³.

This Protocol was accepted by:

Austria	France	Italy
Belgium	Great Britain	Spain
Czechoslovakia		

2. Protocol No. II and Annexes and Explanatory Note. Geneva, October 4th, 1922⁴.

This Protocol has been accepted by:

Austria	France	Netherlands
Belgium	Great Britain	Spain
Czechoslovakia	Italy	Sweden
Denmark		

3. Protocol No. III (Declaration). Geneva, October 4th, 1922⁵.

This Protocol has been accepted by Austria.

XIV. SAAR.

1. Protocol between the German Government and the Governing Commission of the Territory of the Saar Basin. Berlin, June 3rd, 1921⁶.

This Protocol was signed by:

Germany
Saar Governing Commission.

XV. DANZIG.

1. Convention between Poland and the Free City of Danzig. Paris, November 9th, 1920⁷.

This Convention was signed by:

Danzig
Poland.

2. Treaty between Germany and Poland concerning the Regulations of Option Questions. Danzig, November 8th, 1920.

This Treaty has been signed and ratified by:

Germany
Poland.

3. Treaty between Poland and the Free City of Danzig. Warsaw, October 24th, 1921.

¹ League of Nations *Treaty Series*, Vol. IX, p. 211.

² *Ibid.*, Vol. IX, p. 466.

³ *Ibid.*, Vol. XII, p. 385.

⁴ *Ibid.*, p. 391.

⁵ *Ibid.*, Vol. XII, p. 405.

⁶ *Ibid.*, Vol. V, p. 190.

⁷ See Article 104 of the Treaty of Versailles.

XVI. THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

1. The Protocol of Signature of the Permanent Court of International Justice, dated December 16th, 1920¹.

(a) This Protocol has been signed by:

Albania	Esthonia	Panama
Australia	Finland	Paraguay
Austria	France	Persia
Belgium	Greece	Poland
Bolivia	Haiti	Portugal
Brazil	Hungary	Roumania
British Empire	India	Salvador
Bulgaria	Italy	Kingdom of the Serbs, Croats and Slovenes
Canada	Japan	Siam
Chile	Latvia	South Africa
China	Liberia	Spain
Colombia	Lithuania	Sweden
Costa Rica	Luxemburg	Switzerland
Cuba	Netherlands	Uruguay
Czechoslovakia	New Zealand	Venezuela
Denmark	Norway	

Total: 47.

(b) This Protocol has been ratified by:

Albania	Esthonia	Norway
Australia	Finland	Poland
Austria	France	Portugal
Belgium	Greece	Roumania
Brazil	Haiti	Kingdom of the Serbs, Croats and Slovenes
British Empire	India	Siam
Bulgaria	Italy	South Africa
Canada	Japan	Spain
China	Latvia	Sweden
Cuba	Lithuania	Switzerland
Czechoslovakia	Netherlands	Uruguay
Denmark	New Zealand	Venezuela

Total: 36.

2. The Optional Clause recognising the Court's jurisdiction as described in Article 36 of the Statute:

(a) This Clause has been signed or accepted by:

Austria ²	Finland ²	Panama
Brazil ²	Haiti	Portugal
Bulgaria ²	Liberia	Salvador
China ²	Lithuania ²	Sweden ²
Costa Rica	Luxemburg ²	Switzerland ²
Denmark ²	Netherlands	Uruguay
Esthonia	Norway ²	

(b) The Optional Clause has been ratified by:

Austria	Esthonia	Norway
Brazil ²	Finland	Portugal
Bulgaria	Haiti ⁴	Sweden ⁴
China	Lithuania	Switzerland
Denmark	Netherlands	Uruguay

¹ League of Nations *Treaty Series*, Vol. VI, p. 379; Vol. XI, p. 404.

² This indicates that the optional clause has been accepted for a period of five years.

³ Subject to acceptance also by at least two of the Powers permanently represented on the Council.

⁴ Ratification of the Protocol included ratification of the Optional Clause.

XVII. AMENDMENTS TO THE COVENANT OF THE LEAGUE¹.

1. Protocol of an Amendment to Article 4.

(a) The following Members of the League have signed this Protocol:

Albania	Finland	New Zealand
Australia	France	Norway
Bolivia	Greece	Panama
British Empire	Haiti	Paraguay
Bulgaria	Hungary	Persia
Canada	India	Poland
China	Italy	Roumania
Colombia	Japan	Siam
Costa Rica	Latvia	South Africa
Cuba	Liberia	Sweden
Czechoslovakia	Lithuania	Switzerland
Denmark	Netherlands	Venezuela
Esthonia		

(b) The following Members of the League have ratified this Protocol:

Australia	Esthonia	Poland
Belgium	Finland	Portugal
Brazil	Greece	Roumania
British Empire	Hungary	Salvador
Bulgaria	India	Siam
Canada	Italy	South Africa
China	Japan	Sweden
Cuba	Netherlands	Switzerland
Czechoslovakia	New Zealand	Uruguay
Denmark	Norway	

2. Protocol of an Amendment to Article 6 (addition to the Annex to the Covenant)².

(a) The following Members of the League have signed this Protocol:

Australia	Denmark	New Zealand
Bolivia	Finland	Norway
British Empire	France	Panama
Bulgaria	Greece	Paraguay
Canada	Haiti	Siam
China	Italy	South Africa
Colombia	Japan	Sweden
Costa Rica	Latvia	Switzerland
Czechoslovakia	Liberia	Venezuela

(b) The following Members of the League have ratified this Protocol:

Bulgaria	Norway	Siam
Denmark	Poland	Sweden
Finland	Salvador	Switzerland

3. Protocol of an Amendment to Article 6 (last paragraph).

(a) The following Members of the League have signed this Protocol:

Albania	Finland	New Zealand
Australia	France	Norway
Bolivia	Greece	Panama
British Empire	Haiti	Paraguay
Bulgaria	Hungary	Persia
Canada	India	Poland
China	Italy	Roumania
Colombia	Japan	Siam
Costa Rica	Latvia	South Africa
Czechoslovakia	Liberia	Sweden
Denmark	Lithuania	Switzerland
Esthonia	Netherlands	Venezuela

(b) The following Members of the League have ratified this Protocol:

Australia	France	Poland
Belgium	Greece	Portugal
British Empire	Hungary	Roumania
Bulgaria	India	Siam
Canada	Japan	South Africa
China	Netherlands	Sweden
Denmark	New Zealand	Switzerland
Esthonia	Norway	Uruguay
Finland		

¹ Article 26 of the Covenant provides: "Amendments to this Covenant will take effect when ratified by the Members of the League whose Representatives compose the Council and by a majority of the Members of the League whose Representatives compose the Assembly." None of the amendments proposed has yet taken effect.

² At the request of the third Assembly, the Council has notified the Members of the League that it is no longer necessary to ratify this amendment.

4. Protocol of an Amendment to Article 6 (adding a new paragraph)¹.

(a) The following Members of the League have signed this Protocol:

Albania	Esthonia	Netherlands
Australia	Finland	New Zealand
Bolivia	France	Norway
British Empire	Greece	Panama
Bulgaria	Haiti	Paraguay
Canada	Italy	Persia
China	Japan	Poland
Colombia	Latvia	Siam
Costa Rica	Liberia	Sweden
Czechoslovakia	Lithuania	Switzerland
Denmark		Venezuela

(b) The following Members of the League have ratified this Protocol:

Brazil	Finland	Siam
Bulgaria	Norway	Sweden
Denmark	Poland	Switzerland

5. Protocol of an Amendment to Article 12.

(a) The following Members of the League have signed this Protocol:

Australia	Finland	New Zealand
Bolivia	France	Norway
British Empire	Greece	Panama
Bulgaria	Haiti	Paraguay
Canada	Hungary	Roumania
China	India	Siam
Colombia	Italy	South Africa
Costa Rica	Japan	Sweden
Cuba	Latvia	Switzerland
Czechoslovakia	Liberia	Venezuela
Denmark		

(b) The following Members of the League have ratified this Protocol:

Australia	Esthonia	New Zealand
Belgium	Finland	Norway
Brazil	France	Poland
British Empire	Greece	Portugal
Bulgaria	Hungary	Roumania
Canada	India	Siam
China	Italy	South Africa
Cuba	Japan	Sweden
Denmark	Netherlands	Switzerland

6. Protocol of an Amendment to Article 13.

(a) The following Members of the League have signed this Protocol:

Albania	Finland	New Zealand
Australia	France	Norway
Bolivia	Greece	Panama
British Empire	Haiti	Paraguay
Bulgaria	Hungary	Persia
Canada	India	Poland
China	Italy	Roumania
Colombia	Japan	Siam
Costa Rica	Latvia	South Africa
Cuba	Liberia	Sweden
Czechoslovakia	Lithuania	Switzerland
Denmark	Netherlands	Venezuela
Esthonia		

(b) The following Members of the League have ratified this Protocol:

Australia	Esthonia	New Zealand
Belgium	Finland	Norway
Brazil	France	Poland
British Empire	Greece	Portugal
Bulgaria	Hungary	Roumania
Canada	India	Siam
China	Italy	South Africa
Cuba	Japan	Sweden
Denmark	Netherlands	Switzerland

¹ At the request of the third Assembly, the Council has notified the Members of the League that it is no longer necessary to ratify this amendment.

7. Protocol of an Amendment to Article 15.

(a) The following Members of the League have signed this Protocol:

Australia	Finland	New Zealand
Bolivia	France	Norway
British Empire	Greece	Panama
Bulgaria	Haiti	Paraguay
Canada	Hungary	Roumania
China	India	Siam
Colombia	Italy	South Africa
Costa Rica	Japan	Sweden
Cuba	Latvia	Switzerland
Czechoslovakia	Liberia	Venezuela
Denmark		

(b) The following Members of the League have ratified this Protocol:

Australia	Finland	Norway
Belgium	France	Poland
Brazil	Greece	Portugal
British Empire	Hungary	Roumania
Bulgaria	India	Siam
Canada	Italy	South Africa
China	Japan	Sweden
Cuba	Netherlands	Switzerland
Denmark	New Zealand	
Esthonia		

8. Protocol of an Amendment to Article 16 (first paragraph).

(a) The following Members of the League have signed this Protocol:

Albania	Greece	Panama
Bolivia	Haiti	Paraguay
Bulgaria	Hungary	Persia
China	Italy	Poland
Colombia	Japan	Roumania
Costa Rica	Latvia	Siam
Cuba	Liberia	South Africa
Czechoslovakia	Lithuania	Sweden
Denmark	Netherlands	Switzerland
Esthonia	Norway	Venezuela
Finland		

(b) The following Members of the League have ratified this Protocol:

Belgium	Hungary	Portugal
Bulgaria	Italy	Roumania
China	Japan	Siam
Denmark	Netherlands	Sweden
Esthonia	Norway	Switzerland
Finland		

9. Protocol of an Amendment to Article 16 (second paragraph).

(a) The following Members of the League have signed this Protocol:

Bolivia	Greece	Panama
Bulgaria	Haiti	Paraguay
China	Hungary	Roumania
Colombia	Italy	Siam
Costa Rica	Japan	South Africa
Cuba	Latvia	Sweden
Czechoslovakia	Liberia	Switzerland
Denmark	New Zealand	Venezuela
Finland	Norway	

(b) The following Members of the League have ratified this Protocol:

Belgium	Hungary	Portugal
Bulgaria	Italy	Roumania
China	Japan	Siam
Denmark	Netherlands	Sweden
Esthonia	Norway	Switzerland
Finland		

10. Protocol of an Amendment to Article 16 (third paragraph).

(a) The following Members of the League have signed this Protocol:

Bolivia	Greece	Panama
Bulgaria	Haiti	Paraguay
China	Hungary	Roumania
Colombia	Italy	Siam
Costa Rica	Japan	South Africa
Cuba	Latvia	Sweden
Czechoslovakia	Liberia	Switzerland
Denmark	New Zealand	Venezuela
Finland	Norway	

(b) The following Members of the League have ratified this Protocol:

Belgium	Hungary	Portugal
Bulgaria	Italy	Roumania
China	Japan	Siam
Denmark	Netherlands	Sweden
Esthonia	Norway	Switzerland
Finland		

11. Protocol of an Amendment to Article 16 (fourth paragraph).

(a) The following Members of the League have signed this Protocol:

Albania	Finland	Norway
Bolivia	Greece	Panama
Bulgaria	Haiti	Paraguay
China	Hungary	Roumania
Colombia	Italy	Siam
Costa Rica	Japan	South Africa
Cuba	Latvia	Sweden
Czechoslovakia	Liberia	Switzerland
Denmark	New Zealand	Venezuela

(b) The following Members of the League have ratified this Protocol:

Belgium	Finland	Portugal
Brazil	Hungary	Roumania
Bulgaria	Italy	Siam
China	Japan	Sweden
Denmark	Netherlands	Switzerland
Esthonia	Norway	

12. Protocol of an Amendment to Article 26 (first paragraph).

(a) The following Members of the League have signed this Protocol:

Albania	Finland	New Zealand
Australia	France	Norway
Bolivia	Greece	Panama
British Empire	Haiti	Paraguay
Bulgaria	Hungary	Persia
Canada	India	Poland
China	Italy	Roumania
Colombia	Japan	Siam
Costa Rica	Latvia	South Africa
Cuba	Liberia	Sweden
Czechoslovakia	Lithuania	Switzerland
Denmark	Netherlands	Venezuela
Esthonia		

(b) The following Members of the League have ratified this Protocol:

Australia	Finland	Norway
Belgium	France	Poland
British Empire	Greece	Portugal
Bulgaria	Hungary	Roumania
Canada	India	Siam
China	Italy	South Africa
Cuba	Japan	Sweden
Denmark	Netherlands	Switzerland
Esthonia	New Zealand	

13. Protocol of an Amendment to Article 26 (adding a new paragraph after the first paragraph).

(a) The following Members of the League have signed this Protocol:

Australia	Finland	New Zealand
Bolivia	France	Norway
British Empire	Greece	Panama
Bulgaria	Haiti	Paraguay
Canada	Hungary	Persia
China	India	Poland
Colombia	Italy	Roumania
Costa Rica	Japan	Siam
Cuba	Latvia	South Africa
Czechoslovakia	Liberia	Sweden
Denmark	Lithuania	Switzerland
Esthonia	Netherlands	Venezuela

(b) The following Members of the League have ratified this Protocol:

Australia	Finland*	Norway
Belgium	France	Poland
British Empire	Greece	Portugal
Bulgaria	Hungary	Roumania
Canada	India	Siam
China	Italy	South Africa
Cuba	Japan	Sweden
Denmark	Netherlands	Switzerland
Esthonia	New Zealand	

14. Protocol of an Amendment to Article 26 (second paragraph).

(a) The following Members of the League have signed this Protocol:

Australia	Finland	New Zealand
Bolivia	France	Norway
British Empire	Greece	Panama
Bulgaria	Haiti	Paraguay
Canada	Hungary	Persia
China	India	Roumania
Colombia	Italy	Siam
Costa Rica	Japan	South Africa
Cuba	Latvia	Sweden
Czechoslovakia	Liberia	Switzerland
Denmark	Lithuania	Venezuela
Esthonia	Netherlands	

(b) The following Members of the League have ratified this Protocol:

Australia	Esthonia	New Zealand
Belgium	Finland	Norway
Brazil	France	Poland
British Empire	Greece	Portugal
Bulgaria	Hungary	Roumania
Canada	India	Siam
China	Italy	South Africa
Cuba	Japan	Sweden
Denmark	Netherlands	Switzerland

XVIII. AMENDMENTS TO THE LABOUR PART OF THE TREATIES OF PEACE.

1. Amendment to Article 393 of the Treaty of Versailles and to the corresponding Articles of the other Treaties of Peace. (Adopted by the Fourth International Labour Conference, Geneva, November 2nd, 1922).¹

(a) A Protocol relative to this Amendment, dated Geneva, June 14th, 1923, has been signed by

France
South Africa.

(b) The Amendment has been ratified by

Roumania.

¹ Article 422 of the Treaty of Versailles provides: "Amendments to this part of the present Treaty which are adopted by the Conference by a majority of two-thirds of the votes cast by the Delegates present shall take effect when ratified by the States whose representatives compose the Council of the League of Nations and by three-fourths of the Members." The amendment proposed has not yet taken effect.

XIX. REGISTRATION AND PUBLICATION OF TREATIES AND INTERNATIONAL ENGAGEMENTS.

(Article 18 of the Covenant.)

The third Assembly adopted the following resolution on September 23rd, 1922:

"The Assembly,
"Considering that, according to the information furnished by the Secretariat, the practice of presenting treaties and international engagements for registration and for publication is becoming more and more familiar to the Governments of Members of the League, and desiring to profit by experience gained over a longer period before reopening the discussion on a possible amendment to Article 18 of the Covenant:
"Decides to postpone such a discussion to a future session of the Assembly."

The registration of treaties by the Secretariat has therefore been continued in conformity with the methods laid down in the Council's memorandum of May 19th, 1920.

From the end of the third Assembly to the present day (June 11th, 1923) 104 treaties or international engagements have been presented for registration.

Publication of the treaties has made the same progress as the registration; since the third Assembly, 103 treaties have been published in Volumes IX, X, XI and XII, each volume containing more than 400 pages. Volumes XIII, XIV and XV will be published shortly.

2.

LEGAL QUESTIONS.

I. AMENDMENT OF ARTICLE 10 OF THE COVENANT.

Article 10 of the Covenant is as follows:

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

The question of the amendment of Article 10 was originally raised by Canada at the first Assembly. Canada then proposed the complete elimination of the article. Following a discussion of the question both at the first and at the second Assembly, Canada submitted new proposals to the third Assembly in the following form:

"1. That the following words should be added at the end of Article 10: 'taking into account the political and geographical circumstances of each State'.

"2. That the following paragraph should be added: 'The opinion given by the Council in such cases shall be regarded as a matter of the highest importance, and shall be taken into consideration by all Members of the League, which shall use their utmost endeavours to conform to the conclusions of the Council, but no Member shall be under the obligation to engage in any act of war without the consent of its Parliament, legislature or other representative body'."

The third Assembly, on September 23rd, 1922, decided to adjourn the Canadian proposal until the fourth Assembly in order that the subject might be considered in all its bearings. The Assembly left it to the Council to decide on the steps to be taken to provide the detailed study of the Canadian proposal.

The Council, on January 29th, 1923, considered that it should first endeavour to obtain information as to the views of Members of the League and should await to some extent the development of events. It proposed to invite the Members of the League to submit any observations they might wish to make by June 1st, 1923. It instructed the Secretary-General to address to the Members of the League an invitation to this effect and directed that the question should be placed on the agenda of an early session of the Council to be held after June 1st, 1923. The rapporteur

to the Council particularly asked his colleagues to secure for submission to the Council the views of their respective Governments.

It was agreed that, in examining the replies received, the Council would take into consideration the work of the Temporary Mixed Commission on Armaments in regard to the question of the Treaty of Mutual Guarantee.

It was realised that Article 10, which contemplated a general covenant of non-aggression, would need to be considered in the light of the proposed Treaty of Guarantee, which would be a matter for agreement between States.

II. INCREASE IN THE NUMBER OF THE NON-PERMANENT MEMBERS OF THE COUNCIL.

Article 4 of the Covenant stipulates that the Council shall be composed of representatives of France, Great Britain, Italy and Japan, and of four other Members of the League selected by the Assembly. The Article also provides that, subject to the approval of the Assembly, the Council can increase the number of the non-permanent Members.

The number of the non-permanent Members of the Council has been increased from four to six since the last general report to the Assembly on the work of the Council. This decision was taken on September 19th, 1922.

The grounds for the Council's decision are stated in a letter addressed on September 15th, 1922 to the President of the Council by M. Léon Bourgeois, acting on behalf of the French Government, and Lord Balfour for the British Government:

"In view of the increase in the number of the Members of the League and in order to allow those Members which are not permanently represented on the Council to take an active part in its work, it seems advisable to increase the number of non-permanent seats from four to six.

"We must not lose sight of the fact that, if this solution were adopted, the criticism might be made that the new formation of the Council would consist of four permanent States and of six non-permanent States, whereas the Covenant lays down that it should consist of five permanent States and four non-permanent States. But this objection can hardly be considered a serious one, since, by Article V of the Covenant, the decisions of the Council are—except where otherwise provided—taken unanimously by the Members represented at the meeting. The question of a majority therefore does not arise as far as the Council is concerned. It is advisable, moreover, to provide for a future increase of permanent Members."

The third Assembly, on September 25th, 1922, approved the decision of the Council, which came into force immediately.

The Assembly, on September 30th, 1922, elected Sweden and Uruguay as the two additional Members.

III. ALLOCATION OF THE EXPENSES OF THE LEAGUE.

The Assembly, in a resolution adopted on September 30th, 1922, requested the Council to ask the Committee on the Allocation of Expenses, presided over by M. Réveillaud, to continue its researches with a view to preparing a definitive scale for submission to a subsequent Assembly. The Assembly left it to the Council to modify the composition of the Committee as it might think desirable.

The Assembly annexed to its resolution a scale recognised by general consent as establishing a more just and equitable system for the allocation of the expenses of the League than the scale of the Universal Postal Union hitherto in force. It approved the application of that scale for the allocation of the expenses of the League for the year 1923, recognising that it was desirable to secure its immediate application as a provisional measure.

The Committee on the Allocation of Expenses met in June 1923 and its report will be circulated to the Members of the League.

IV. QUESTION AS TO THE EIGHT STATES OF CHIEF INDUSTRIAL IMPORTANCE.

The Council of the League of Nations was called upon in August 1920, under the provisions of Article 393 of the Treaty of Versailles, to adjudicate on a claim presented by the Indian Government to be classed as one of the eight Members of the International Labour Organisation of chief industrial importance and therefore entitled as of right to be represented on the Governing Body of the International Labour Organisation.

The Council, on August 5th, 1920, expressed the opinion that any ruling on this question, since it would involve a reconstruction of the Governing Body of the Labour Office, should not take effect until 1922, when the elected Members then in office would have completed their term. Meanwhile, it suggested that the meaning of the words "chief industrial importance" should be carefully examined and that the criteria by which industrial importance might be estimated

should be studied by the Secretariat of the League in agreement with the International Labour Office.

For this purpose an expert committee was appointed during the first quarter of 1921 consisting of two representatives of the Secretariat of the League and four members of the Governing Body of the International Labour Office.

M. Arthur Fontaine, who had acted as Chairman of the organising committee of the first International Labour Conference at Washington, was appointed Chairman of the expert committee. The committee presented its report on May 31st, 1922. It suggested a combination of criteria whereby the industrial importance of States might be measured, which it considered to be, from a scientific point of view, more satisfactory and more logical in principle than the system chosen by the organising committee of the first Labour Conference.

It did not, however, claim that this system could be safely applied to nominations for the Governing Body in 1922, owing to the present disturbed state of commerce and the monetary situation, and it admitted that these criteria would require amendment and further study.

The Committee, in its report, stated generally that it was only too well aware of the incompleteness and provisional character of the work which it had achieved, and laid stress on the fact that the solution proposed and the calculations suggested were of a relative character.

The report concluded as follows :

“There is a group of countries which, on various reasonable hypotheses, figure among the eight most industrial nations with such regularity as to give rise to a kind of certainty. These are the United Kingdom, France, Germany, Italy and Japan. There are others in regard to which there is a less degree of certainty: Canada and Belgium in the first place, then India, Switzerland, Sweden, etc., and perhaps Poland, in regard to which we have not received the final figures resulting from the most recent decisions as to her frontiers.

“Hence arises the difficulty of the classification, which has caused so much legitimate emulation. Hence too, the proposal of the Governing Body of the International Labour Office to substitute for such competitions in the future, if the amendment put forward under Article 422 of the Treaty of Versailles meets with success, an enumeration in the statute of the International Labour Office of the Powers which have a representative, as of right, on the Governing Body.”

The Council, during its session in September 1922, examined the report of the expert committee and heard statements from the representatives of India, Poland and Switzerland. It adopted a final report on the subject on September 30th, 1922.

It unanimously agreed that, on the evidence presented, seven countries should be included: Germany, Belgium, Canada, France, Great Britain, Italy and Japan.

There remained one place to be filled. The claims of the various States to this vacant seat were considered, not merely in the light of the statistics but also in the light of various general arguments urged in favour of different countries. It finally decided that, on the evidence presented, India had the best claim to be included.

The Council laid it down as a general principle that, in the absence of quite exceptional circumstances, it would not consider it proper to take any decision affecting the constitution of the Governing Body of the Labour Office during the term of office of the elected members of that body.

3.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

I. NATIONALITY DECREES IN TUNIS AND MOROCCO.

The nationality decrees issued in Tunis and Morocco in November 1921 were four in number—two issued by the French Government, one by the Bey of Tunis and one by the Sultan of Rabat. The decrees of the two native princes declared to be Tunisian or Moroccan respectively all persons born in Tunis or in the French zone of the Shereefian Empire respectively, of parents likewise born there, except citizens of subjects of the protecting Power. The French decrees conferred French nationality on the persons born in Tunis or in the French zone of the Shereefian Empire, respectively, of parents of whom one was justiciable as a foreigner by the French tribunals of the protectorate and was born in the protectorate.

These decrees are in conflict with the British nationality legislation, which claims as natural-born British subjects the children born abroad of British parents who are themselves born within His Britannic Majesty's allegiance, and also the grandchildren born before January 1st, 1915, of such parents.

The French Government, applying the decrees, treated as French subjects persons in Tunis of Maltese origin who were claimed by the British Government to be British subjects, amongst other things calling upon them to perform military service in the French army. The British Government protested against the decrees being so applied.

The dispute between the French and British Governments was placed on the agenda of the Council on August 11th, 1922, and examined by the Council on October 2nd and October 4th, 1922.

The Council decided to ask the Permanent Court of International Justice for an advisory opinion as to whether the dispute was or was not by international law solely a matter of domestic jurisdiction for France. The two Governments agreed that if, in the opinion of the Court, the question were not solely a matter of domestic jurisdiction, the whole dispute would be referred to arbitration to be agreed between the two Governments.

The Permanent Court of International Justice met in extraordinary session on January 8th, 1923, in order to deal with the question. The British Government was represented by Mr. George Mounsey, of the Foreign Office, as agent, and by Sir Douglas Hogg, Attorney-General, and Sir Ernest Pollock, formerly Attorney-General, as counsel. The French Government was represented by M. Mérillon, Procurator-General at the Cour de Cassation, and M. de Lapradelle, Professor of International Law at the University of Paris.

The British and French representatives presented the cases of the two Governments at public hearings, and filed their final conclusions in writing. The decision of the Court was announced in public session on February 7th, 1923.

The Court, without entering into the merits of the dispute, held that the Council of the League had jurisdiction to deal with the dispute as brought before it by the British Government.

On the delivery of this opinion and with reference to the previous agreement between France and Great Britain, the agent of the French Government formally requested the Court to place on record that France proposed to Great Britain to submit the whole dispute to the Court for judgment. The British agent, in reply, stated that he was not authorised definitely to pronounce on the proposal but that his Government would give it the most careful consideration.

The doctrine of the Court with regard to the interpretation of Article 15, paragraph 8, of the Covenant may be summarised as follows:

The "exclusive jurisdiction" of States comprises matters which, in principle, are not regulated by international law. The ambit of this jurisdiction varies with the development of international relations; consequently it is purely relative. Moreover, even as regards matters included within this jurisdiction, the right of a State to use its unfettered discretion may be restricted by international engagement. The mere fact that international engagements are invoked does not, however, suffice to remove from the exclusive jurisdiction of a State a dispute which, in principle, falls within that jurisdiction; these international engagements must be of a nature to justify the provisional conclusion that they may be of juridical importance for the dispute.

In applying this doctrine to the question under consideration, the Court had to examine the more important legal grounds and arguments advanced by the parties to the extent required for the appreciation of the nature of the dispute.

The Court accordingly proceeded to deal with the contention that France has, in Tunis and Morocco, the same exclusive right to legislate on nationality questions as in France itself, and also with the contention that the local sovereignty of the protected State, together with the public powers exercised by the protecting State, may form a substitute for full sovereignty. Similarly, it touched upon the question whether the capitulatory rights of Great Britain in Tunis and in Morocco still subsist or have lapsed. The Court also referred to the argument advanced by Great Britain and based on the most-favoured-nation clause, as well as to the French contention, according to which Great Britain has formally recognised the right of France to legislate in Tunis under the same conditions as in the mother-country on the subject of nationality.

It was as a result of its considerations on these points that the Court gave to the question submitted to it a reply in the negative; that is to say, it affirmed that the dispute did not solely fall within the domestic jurisdiction of France, as this was understood by the Court, and that consequently the Council had jurisdiction to deal with the dispute as brought before it by the British Government.

II. THE CASE OF S.S. "WIMBLEDON".

The diplomatic representatives at The Hague of the Powers designated in the Treaty of Versailles as "the Principal Allied Powers", through the intermediary of the French Minister, have filed with the Registry of the Permanent Court of International Justice an application instituting proceedings in a case between Great Britain, France, Italy and Japan, acting conjointly, on the one hand, and Germany on the other hand, concerning the refusal of the German authorities on March 21st, 1921, to allow s.s. *Wimbledon* to have free access to the Kiel Canal.

Notice of the application has been sent by the Registrar to Germany and to the other States which have ratified the Treaty of Versailles, and, through the Secretary-General of the League of Nations, to all States Members of the League. The case of the applicant Powers was deposited with the Registry of the Court on March 17th, 1922, Germany's counter-case on April 20th, and the Allied reply on May 17th. The German rejoinder was expected for June 15th.

The applicant Powers take their stand upon Article 380 of the Treaty of Versailles, according to which "the Kiel Canal and its approaches shall be maintained free and open to the vessels of commerce and of war of all nations at peace with Germany on terms of entire equality".

The case is submitted to the Court under the terms of Article 386 of the Treaty of Versailles, which refers "to the jurisdiction instituted by the League of Nations", and which corresponds with Article 37 of the Statute of the Court, according to which the "tribunal to be instituted by the League of Nations" will be the Court.

The Polish Government has filed a request to be allowed to intervene as a party to the case on the side of the Allied Powers. The original parties have been invited to submit before June 15th their observations on this request.

The case of s.s. *Wimbledon* constitutes the first example in history of the arraignment before an international court of a sovereign State by one or more sovereign States.

The German Government, in virtue of the right conferred upon it by the Statute of the Court, has appointed a judge of German nationality, Professor Walter Schücking, to sit in the case.

The case has been placed on the agenda of the ordinary session of the Permanent Court which opened on June 15th, 1923.

III. GERMAN MINORITIES IN POLAND.

The Council of the League, in a resolution adopted on February 3rd, 1923, requested the Permanent Court of International Justice to give an advisory opinion on several points relating to measures taken by the Polish Government with regard to certain individuals of German race in Poland¹.

The question has been placed on the agenda of the ordinary session of the Permanent Court which opened on June 15th, 1923. The Members of the League and the German Government have been duly notified of this request.

IV. EASTERN CARELIA.

The Council, on April 21st, referred to the Permanent Court a question arising out of the Treaty of Dorpat between Finland and Russia signed on October 14th, 1920².

The question has been placed on the agenda of the ordinary session of the Permanent Court which opened on June 15th. The Members of the League and the Soviet Government have been duly notified of this request.

V. ELECTION OF A NEW JUDGE OF THE PERMANENT COURT.

A vacancy has been created in the Permanent Court by the death of Senator Barbosa, one of the original judges. This vacancy will have to be filled by the fourth Assembly and the Council of the League according to the procedure adopted for the first elections. The new judge will be appointed only for the remainder of M. Barbosa's term of nine years, *i.e.*, until December 31st, 1930.

The Council, on April 17th, 1923, placed on record its sense of the loss which the Permanent Court had suffered through the death of M. Barbosa, and its sympathy with his family and country.

The Council, at the same time, instructed the Secretary-General to place on the agenda of the fourth session of the Assembly the election of a successor. In accordance with the procedure followed in the election of judges, the same item will be placed on the agenda of a meeting of the Council to be held during the session of the Assembly.

The Secretary-General is entrusted by the Statute of the Court with the duty of taking such measures as may be necessary to obtain nominations and of drawing up the list of candidates.

The Council, in discussing the election of a successor to M. Ruy Barbosa, noted that the number of judges and deputy judges of the Court was not more than sufficient to provide for occasional absence of members owing to sickness or other inevitable impediments, and its attention was drawn to the desirability of appointing as judges persons in a position to take effective part in the work of the Court and to the fact that the duties of a judge necessitated his presence at the seat of the Court for a considerable period of each year. The Council thought it desirable to emphasise the importance of this consideration without desiring in any way to restrict its own freedom of choice or that of the Assembly.

In the course of these discussions, the British Government called attention in a special memorandum to the importance of nominating as candidates for election to the Court persons with a working knowledge of both official languages.

¹ This question is dealt with in the section of this report dealing with the protection of minorities.

² This question is dealt with in the section of this report dealing with Eastern Carelia.

FINANCIAL ADMINISTRATION OF THE LEAGUE.

I. GENERAL ADMINISTRATION.

Apart from the various questions which will be dealt with in connection with the work of the Supervisory Commission, the only matter of serious importance since the third Assembly has been the state of the treasury during a portion of the intervening period. At the end of 1922 and the beginning of 1923 there was an insufficiency of funds at the disposal of the League, due partly to the fact that but a small proportion of the current year's contributions are paid in the year, but mainly to the non-payment of their contributions by certain Members of the League. This insufficiency particularly affected the International Labour Organisation.

The Secretary-General, guided by the Financial Regulations adopted by the third Assembly, accordingly made advances for current expenditure to the International Labour Office out of the Working Capital Fund. At the end of 1922 the International Labour Office had received its full share of the Working Capital Fund (1,197,441.23 gold francs) and had been given in addition a temporary loan from the Secretariat's share of the Fund amounting to 437,833.18 gold francs.

In January 1923 the loan to the International Labour Office from the Working Capital Fund was further increased by 350,000 francs, and early in February the Secretary-General found it necessary to borrow 200,000 francs for the use of the International Labour Office from the League bankers.

At the request of the Council, the Supervisory Commission considered the general situation at its February session. It decided that economies, wherever possible, should be effected and proposed that all organisations should reduce their expenditure to 85% of the amount provided for in the 1923 budget. It further recommended that, in view of the inability of the International Labour Office to repay to the Working Capital Fund the sums which had been advanced to that Organisation during 1922, these advances should be carried forward and added to the budget for 1924.

The situation had considerably improved by March, the bank loan being entirely liquidated before the end of that month. Since that date no further borrowings have been necessary.

II. THE WORK OF THE SUPERVISORY COMMISSION IN CONNECTION WITH THE FINANCES OF THE LEAGUE.

The Supervisory Commission held two sessions in the spring of 1923 to consider the various questions which had been referred to it: the accounts for 1922 and the budget for 1924.

(1) Questions referred to the Commission by the Assembly.

The Commission considered at its February session the various suggestions which had been made by the third Assembly for the amendment of the Financial Regulations.

The Commission recommended that the financial control applicable to the Secretariat and the autonomous organisations should be extended to apply to all the organisations of the League whether permanent or temporary, and whether the expenditure was, or was not, in whole or in part, met out of votes of the Assembly.

Recommendations were also made as to gifts which might be made to the League. Those involving an immediate or ultimate financial liability for the Members of the League should, in the opinion of the Commission, be accepted only by the Assembly, whilst other gifts might be accepted by the competent authority of the organisation concerned if it were satisfied that its acceptance would not undesirably affect the general character of the League or of the special organisation in question.

The question of the disposal of the difference between the receipts and the expenditure for a completed financial year was solved in the following manner: If the difference constitutes a credit balance, it should be used to effect a corresponding reduction of the sum to be collected from the Members of the League by way of contribution for the year in the budget of which it was entered; if the difference represents a deficit, the sum to be contributed by Members of the League for such year should be increased by the amount of the deficit.

The Commission gave careful consideration to M. Réveillaud's proposals regarding the Working Capital Fund which had been referred to the Commission by a resolution adopted by the Fourth Committee of the third Assembly at its meeting held on September 27th, 1922. It agreed that it

would be unwise at the present stage to insist on new Members being requested to pay into the Working Capital Fund a sum equal to that which had to be paid by the Members whose quota of contribution was equal or comparable to its own. It accepted, however, with certain general reservations, the proposals that the sums paid since the beginning of the League by the Members for the Working Capital Fund should be considered as carried to the credit of the various Members concerned, that a decision of the Assembly could liberate all or part of the sums destined to the Fund, and that States which, for any reason, ceased to be Members of the League, should be ultimately entitled to the reimbursement of the total amount of their contribution to the Fund.

(2) *Other Questions.*

(a) *Procedure regarding the Examination of the Budget before its Adoption by the Assembly.*

The British Secretary of State for Foreign Affairs, in a letter dated April 10th, 1923, made the following proposals:

- (i) A short session of the Supervisory Commission should be held each year either immediately before or during the meeting of the Assembly.
- (ii) It should be the duty of the Commission at this session to examine all additions to and amendments of the budget.
- (iii) The budget, in its final form, must be approved by the Supervisory Commission before its submission to the Fourth Committee of the Assembly.
- (iv) All supplementary credits or proposals involving expenditure made during the session of the Assembly must receive the approval of the Supervisory Commission before they are adopted. All such proposals should be referred to the Supervisory Commission, which should in the first place consider whether a proposal for additional expenditure could be adopted immediately or whether, in cases where heavy expenditure is involved, it should not advise that a separate application be made for the approval of the Member States.

The Commission considered these proposals and decided that it could not, of its own accord, definitely accept them, but that it might inform the Assembly that it was ready to carry out the duties proposed by the British Government if the Assembly should so desire. It appeared to the Commission that this matter should be placed by the Assembly on its agenda as the first item to be dealt with relating to finance.

(b) *Contributions of Salvador and of certain Central American States to the League.*

The third Assembly, in its report on arrears of contributions authorised the Secretary-General to propose to the Supervisory Commission an arrangement best fitted to the exceptional situation of certain Central American States the contributions of which were largely in arrears but which appeared to deserve special consideration.

At its May session the Supervisory Commission authorised the Secretary-General to enter into negotiations with those States, inviting them to liquidate their overdue contributions by means of payments spread over a number of years on the scale authorised by the third Assembly.

The Government of Salvador had itself proposed a similar arrangement and, under the circumstances, the Secretary-General withdrew from the agenda of the Council, pending the approval of the Government of Salvador, the legal question which that Government had raised on May 10th, 1921, and which had been dealt with on several occasions in 1921, 1922 and 1923 by the Council and the Assembly.

(3) *Accounts for 1922.*

At its May session, the Supervisory Commission decided to recommend the Assembly to adopt the accounts in the form in which they were approved by the auditor. If further expressed itself in full agreement with the general lines of the auditor's report.

(4) *Budget for 1924.*

Before considering the budget, the Commission agreed to follow a strict but judicious policy of retrenchment. Except in very special cases, increases in any of the budgets of the League organisations could not be accepted. Reductions should be made wherever possible, a distinction always being made between the essential features of the work of the League and the activities which, though important and desirable, were not, for the present, absolutely necessary.

The Commission noted that considerable reductions had already been made in the budget as submitted, but, in agreement with the competent officials of the various organisations and in strict conformity with Article 16 of the Financial Regulations, it strongly held that further reductions should, wherever possible, be made, in view of the financial difficulties through which the majority of the Members of the League were passing. It was understood that in certain cases some of these reductions could not have been effected by the Secretary-General if his responsibility had not been shared by the Commission.

(a) *Budget of the International Labour Organisation.*

The budget of the International Labour Organisation was submitted to the Commission in an incomplete form. This was due to the fact that the Governing Body of the Office had insisted, at its April session, on large economies which necessarily entailed a reorganisation of the staff.

In these circumstances the Commission confined itself to the preliminary examination of the parts of the estimates not relating to personnel, postponing its definitive consideration of the budget to a subsequent session.

The Commission considered carefully the recommendation of the Finance Committee of the Governing Body relating to an increase of the Working Capital Fund. In view of the difficulties which the International Labour Office had encountered during the early months of 1923, the Commission decided to include in the general budget of the League, in addition to the 1,635,000 francs which already appeared as repayments of apparently irrecoverable advances, the sum of 885,000 francs as an additional contribution to the Fund. This contribution would bring the Fund to 5,000,000 gold francs — the limit that was approved by the second Assembly.

(b) *Permanent Court of International Justice.*

The estimates of the Permanent Court of International Justice, as submitted to the Supervisory Commission, amounted to 965,439 florins.

The reductions made in consequence of the recommendations of the Commission amounted to a net total of 34,150 florins.

(c) *Secretariat and Special Organisations.*

The Supervisory Commission considered in detail the estimates of the Secretariat and of the special organisations of the League, and recommended reductions amounting to 879,135 francs, which have been duly made in the estimates as circulated to the Members of the League and submitted to the Assembly.

(d) *Total Budget of the League.*

The original estimates amounted to 24,591,233.41 gold francs; the Commission effected reductions in its items amounting to 950,276 gold francs, thus bringing the total to 23,640,957.41 gold francs.

On the other hand, as a result of the recommendations of the Commission as to an additional contribution to the Working Capital Fund, of the pensions scheme for the staff of the League and of the provision for interest for the construction of the building of the International Labour Office, the budget of the League, as approved by the Commission, now totals 24,988,875.41 gold francs. Nevertheless, in spite of the inclusion in the estimates for 1924 of the sum of 2,520,274.41 gold francs for the Working Capital Fund, as compared with 500,000 gold francs in the budget for 1923, the estimates for 1924 are 684,632.59 gold francs less than the authorised budget for 1923.

III. WORK OF THE SUPERVISORY COMMISSION WITH REGARD TO A DEFERRED PAY AND PENSIONS SCHEME.

At the request of the third Assembly and of the Council, the Supervisory Commission considered the question of a deferred pay and pensions scheme for the staff of the League of Nations.

It found itself, at its February session, unable finally to deal with the matter. It elaborated, however, a certain number of general principles which were referred to two actuarial experts, who reported to the Commission at its May session.

In accordance with a decision taken by the Council at its April session, the scheme adopted by the Supervisory Commission on May 8th, 1923, was immediately forwarded to the Members of the League. It provides for a contribution by the League and by the permanent official respectively of 5 % of the salary drawn by the official. The fund thus constituted would be placed under trustees to be nominated by the Council on the advice of the Finance Committee, separate accounts being opened for each official. The scheme would be compulsory for permanent officials, *i.e.*, for officials serving a contract for seven years or longer. Officials leaving the League before the completion of their contract would, in certain circumstances, receive only a portion of the contribution paid by the League of Nations, varying according to the length of their service. Sums paid by the League into the account of an official leaving before the expiry of his contract and not returned to the official concerned would be transferred to a separate invalidity and disablement fund.

IV. WORK OF THE SUPERVISORY COMMISSION WITH REGARD TO THE COST OF LIVING AT GENEVA.

The Commission of Enquiry appointed by the Council as a result of a recommendation of the first Assembly, in its report on the organisation of the Secretariat and of the International Labour Office, suggested that a Salaries Adjustment Committee should be created to modify, from time

to time, the salaries of officials in accordance with periodic variations in the cost of living at Geneva. This proposal was approved by the second Assembly.

The Salaries Adjustment Committee presented a report to the Council on this subject on January 29th, 1923. The main principles laid down in the report of the Salaries Adjustment Committee related to the following points : (1) the items of expenditure to be included in measuring the fluctuations in the cost of living; (2) the period to be taken as a basis in measuring fluctuations in prices; (3) the proportion of salary which should vary with fluctuations in the cost of living; (4) the periodicity of the revision of salaries.

It proposed that 1922 should be taken as a basis and that salaries should be adjusted twice a year if changes in the cost of living indicated the desirability of such a course. It recommended that salaries should only be affected by fluctuations of at least 20 % in the cost of living; and that the variable fraction of salaries should range from 30 to 15 % of the whole, instead of from 45 to 14.6 % as suggested by the Commission of Enquiry.

The Council decided to submit this report, before taking further action, to the Supervisory Commission, which gave it its general approval.

The report of the Supervisory Commission was considered by the Council on April 17th, 1923. It decided, on the proposal of the British representative, to refer a memorandum on the subject, to be prepared by the British Treasury, to the Salaries Adjustment Committee and to the Supervisory Commission for consideration; the Supervisory Commission has been asked to submit a revised report at the next session of the Council.

The Supervisory Commission accordingly reconsidered the questions during its May session, studying the report of the Salaries Adjustment Committee in the light of the proposals submitted by the British Treasury.

The Commission recommended that the period to be taken as a basis should be from July to December 1921. It was pointed out that the salaries of the Secretariat had been fixed by the Assembly in October 1921, and that these salaries were expressly stated to be based on the position with regard to prices existing at that date. The Supervisory Commission thought that a period covering the three months preceding and the three months succeeding the date on which the salaries were originally fixed might be regarded as representing the intentions of the Assembly.

The Supervisory Commission further recommended that the salaries of the staff should be affected by fluctuations of 12½% in the cost of living, and not as originally proposed by fluctuations of at least 20%.

5.

REDUCTION OF ARMAMENTS.

ACTION TAKEN ON THE RESOLUTIONS OF THE THIRD ASSEMBLY.

Resolution No. I: Work of the Temporary Mixed Commission and its Collaboration with the Permanent Advisory Commission.

“(a) The Assembly considers it desirable that the Temporary Mixed Commission should be asked to continue for another year the work which it has begun and that its report be submitted at an early date previous to that of the next Assembly. The Assembly further requests the Council to invite the Members of the League to lend their assistance to the Commission in its difficult task and to give their assistance and advice with regard to proposals for reduction of land armaments and a Treaty of Mutual Guarantee.

“(b) The Assembly desires to express its sense of the great value of the collaboration that has existed between the Temporary Mixed Commission and the Permanent Advisory Commission, and trusts that it will continue and, if possible, increase. The Assembly is of opinion that the great technical competence of the Permanent Advisory Commission cannot but be of essential service in the study, from the technical military point of view, of the questions with which the Temporary Mixed Commission deals.”

The Temporary Mixed Commission met at Geneva on February 9th, 1923, for a session which lasted until February 12th, 1923. It met on June 4th for a further session, which lasted until June 8th, 1923.

The Permanent Advisory Commission met from December 5th to 8th, 1922, and from April 16th to 23rd, 1923.

The Temporary Mixed Commission, during its February session, examined the question of the position of members of the Permanent Advisory Commission for Military, Naval and Air

Questions who also sat on the Temporary Mixed Commission, and decided, on the recommendation of its Chairman, to submit this question to the Council for decision.

The Council, in a resolution adopted on April 21st, 1923, decided that the military and naval members of the Temporary Mixed Commission nominated by the Permanent Advisory Commission sat on the Temporary Mixed Commission in virtue of their personal competence and not as delegates of the Permanent Commission.

Resolution No. II: Reduction of Expenditure on Armaments.

"The Assembly recommends that, as a preliminary step, the European States existing before the war of 1914, under their present description, whose juridical status has not been altered by the war, and which are not, at the moment, engaged in military operations which justify their armaments, be invited to reduce the total of their military, naval and air expenditure to the figures for 1913, calculated on the basis of pre-war prices according to the method employed by the Temporary Mixed Commission."

The Council considered this resolution on January 31st, 1923. The British representative expressed the view that the principle of making expenditure a rough test of armaments was open to question and that cost was no true measure of military strength. He asked that his observations should be forwarded to the Temporary Mixed Commission.

The Council decided to forward to the Governments of the States described in the resolution of the Assembly the recommendation contained in that resolution, and requested those States to inform the Council by June 1st, 1923, what action, if any, they had considered it desirable to take on the recommendation. It was understood that the list of States must be established by the Temporary Mixed Commission.

The Temporary Mixed Commission examined the question during its February session. It considered that the terms of the Assembly resolution did not appear to cover all possible exceptions to the general recommendation which it contained. There were States whose military position had changed, though they were not excepted by the resolution. Mention was made, for instance, of States which had been entrusted with mandates by the Peace Treaties.

The Commission, in these circumstances, expressed the opinion that the recommendation of the Assembly, if sent to any State, should be sent to all without exception which existed prior to 1914.

The Commission also expressed the view that the choice of 1913 as a standard year for military expenditure was open to several objections. It pointed out that the positions of the various States in 1913 were far from being comparable, as expenditure in some cases answered more closely to the requirements of national security than in others. Moreover, the European situation had undergone so profound a change between 1914 and 1918 that it did not seem possible to take pre-war figures as a basis for the future. Finally, the Commission observed that the aim of the resolution, which was the progressive reduction of armaments, would not be achieved if the period taken as a basis were a period of uneasiness preliminary to war.

The Commission endorsed the declaration of the Assembly that the basis for the military expenditure of each country could be no other than the sum total of the requirements of its national security, internal order and international obligations.

The Commission, in view of these considerations, was doubtful whether it would not be better to postpone sending a recommendation to the Governments until the matter had been considered further by the Council and by the Assembly.

The Council, on April 21st, 1923, considered the observations submitted by the Temporary Mixed Commission. It decided to postpone taking a decision in the matter in order to give the Assembly a further opportunity of expressing its views. Meanwhile, it requested the Temporary Mixed Commission to make a fresh study of the question with a view to presenting detailed proposals to the next Assembly.

The Temporary Mixed Commission studied the matter again at its June session and decided to request the Council to refer the whole question to the Assembly.

Resolution No. III: Statistical Enquiry.

"The Assembly expresses its satisfaction at the remarkable work accomplished in collecting and drawing up statistical data in an entirely new and peculiarly difficult field.

"Taking into account the work accomplished, and reserving the question of the scope which it might be necessary to give to a statistical enquiry at a later date, the Assembly desires to determine for the coming year the programme which appears to it both immediately useful and practicable. It therefore proposes that this programme should be limited to the two following points:

- "(1) Peace-time armaments ;
- "(2) Expenditure on armaments.

"The Assembly considers it desirable that the Council should request the Permanent Advisory Commission to collaborate with the Temporary Mixed Commission in that part of the work which deals with technical military, naval and air questions."

The Council, on January 31st, 1923, authorised the Secretariat to forward the tables prepared by the Permanent Advisory Commission to the Governments of the States Members of the League as soon as the Temporary Mixed Commission had taken note of them. It was understood that the Governments would be requested to complete them before June 1st, 1923.

These tables were duly forwarded to the Governments concerned. The Temporary Mixed Commission, in noting the tables prepared by the Permanent Advisory Commission, pointed out that the data in question related to peace-time armaments and expressed the view that it would not be possible to arrive at perfectly trustworthy conclusions unless all other elements bearing on the question had been submitted to an adequate enquiry. Meanwhile, it decided that the data supplied by the Governments should be collected and published before the fourth Assembly.

The Commission, at the same time, requested the Secretariat to continue its analytical study of armaments budgets so that it might be able to publish before the next Assembly a new and more complete study of national expenditure during the years following the war.

During its June session the Temporary Mixed Commission examined the situation again and decided to draw the attention of the Council to the fact that only ten Governments had replied by June 1st to the questionnaire relating to the statistical enquiry sent them on March 1st.

Resolutions Nos. IV, V and VI: Surplus Stocks of Munitions; Private Manufacture of Arms; Control of the International Traffic in Arms.

IV. "The Assembly, having considered the report (A. 31. 1922. IX) of the Temporary Mixed Commission, is of opinion that the only step which could usefully be taken in connection with surplus stocks of arms and ammunition is the control of the international traffic in arms."

V. "The Assembly, having noted the proposal of the Temporary Mixed Commission for an international agreement for the control of the manufacture of arms by private companies, urges on the Council to consider the advisability of summoning, at an appropriate moment, a conference of the Members of the League to embody this agreement in the form of a convention. The Assembly is further of the opinion that States not Members of the League should be invited to participate in this conference and to co-operate in the policy on which it may agree."

VI. (a) "The Assembly considers it highly desirable that the Government of the United States should express the objections which it has to formulate to the provisions of the Convention of St. Germain, as well as any proposals which it may care to make as to the way in which these objections can be overcome.

(b) "The Assembly is of the opinion that the Temporary Mixed Commission should be instructed to prepare a new scheme for the control of the international traffic in arms, to be considered by the Conference which is to deal with the private manufacture of arms.

(c) "The Assembly requests the Council to take such steps as it thinks advisable to carry out the purposes above indicated."

The Assembly, in the fourth resolution, merely states that the question of the surplus stocks of arms and ammunition can only be solved by the control of the international traffic in arms.

The Council, on January 31st, 1923, decided to postpone to a later date the consideration of the action, if necessary, to be taken on Assembly Resolutions Nos. V and VIa.

The Temporary Mixed Commission, during its February session, while regretting that the present international situation justified this decision of the Council, was nevertheless of opinion that the Commission should continue to study the question of the private manufacture of arms and of the traffic in arms in any direction that might be found useful.

The Temporary Mixed Commission, taking up the question raised by paragraphs b and c of Assembly Resolution No. VI, suggested to the Council that it was desirable to invite the Government of the United States to make concrete proposals as to the lines on which it might be willing to collaborate with other Governments, both for the control of the traffic in arms and of the private manufacture of arms.

The Council acted on this suggestion on April 21st, 1923. It requested its President to ascertain whether the Government of the United States would be disposed to state its views as to the manner in which it would be willing to co-operate. A letter was accordingly addressed to the Secretary of State of the United States of America by the President of the Council on May 1st, 1923.

At its June session, the Temporary Mixed Commission resolved to recommend the Council to invite the Governments of all States non-Members of the League of Nations to express an opinion as to the way in which they would be prepared to co-operate in the solution of the problems of the traffic in arms and munitions and the private manufacture of arms.

Resolution No. VII: Chemical Warfare.

"(a) The Assembly, having considered the report of the Temporary Mixed Commission on the subject of the development of chemical warfare, approves its action in establishing a special Sub-Committee to report on the probable effects of chemical discoveries in future wars, and requests the Council and the Temporary Mixed Commission to take every possible measure to secure the fullest publicity for the report of the Sub-Committee.

“(b) The Assembly requests the Council to recommend the Members of the League and other nations to adhere to the Treaty of Washington (February 6th, 1922) concerning the use of asphyxiating gas and submarines in war, and other similar matters.”

The Temporary Mixed Commission, during its February session, requested the sub-committee mentioned in the Assembly resolution to consult experts of various countries, including those industrially more advanced, with a view to collecting the greatest possible amount of information likely to assist the sub-committee in formulating proposals. The report of the sub-committee will be submitted to the Temporary Mixed Commission.

The Council, on January 31st, 1923, decided to place the subject of chemical warfare on the agenda of the International Conference for the Extension of the Principles of the Washington Naval Treaty (see Resolution No. XII).

The Temporary Mixed Commission, having examined this question again at its June session, decided to request the Council to consider the possibility of obtaining from the Governments represented at the Washington Conference communication of the report on chemical warfare which was then drawn up by their experts.

Resolution No. VIII: Requirements of National Security.

“The Assembly, having considered the answers from the Governments of twenty-six Members of the League to the enquiry issued to them by the Council as to the requirements of their national security, desires to state that it attaches the utmost importance to these replies as affording a basis for the further deliberations of the Temporary Mixed Commission, and recommends to the Council that it should once again urge the Members of the League which have not yet sent in their replies to do so without delay.”

The third Assembly was notified that twenty-six Governments had furnished statements regarding the requirements of their national security. Since then, eleven other Governments have forwarded statements, and these have been published in the *Official Journal*.

The Council, on January 31st, 1923, decided to ask the Governments which had not yet submitted statements as requested in 1922 to do so, if possible, before June 1st, 1923. Letters to this effect were sent to the Governments on February 13th.

The Temporary Mixed Commission, during its February session, requested the Secretariat to prepare a comparative statement of the replies received from the Governments to be forwarded to the Council by the Chairman of the Commission. The Commission, at the same time, requested its Chairman to bring to the notice of the Council the advisability of submitting this comparative statement to the various Governments and of calling their attention to the advantages to be gained from framing their replies on the model of those which were most complete.

The Temporary Mixed Commission examined the report of the Secretariat during its June session and decided to prepare, on the basis of this report, for examination at its next session, a document specifying the omissions which appeared in the replies of some of the Governments to the enquiry.

Resolution No. IX: Exchange of Information.

“The Assembly approves the recommendation of the Temporary Mixed Commission that the Council should consider whether the time has not come to discuss the application of the paragraph of Article 8 of the Covenant relating to the exchange of military information between States Members of the League.”

The Temporary Mixed Commission, during its February session, requested the Secretariat to enquire and report to it what steps could be taken to obtain a fuller exchange of information such as was contemplated under Article 8 of the Covenant.

The Temporary Mixed Commission examined the report thus prepared by the Secretariat during its June session. This report contained two proposals: namely, that a statistical year-book should be published yearly on the basis of the last paragraph of Article 8 of the Covenant relating to the exchange of military information, and that, in order gradually to evolve a system of natural control, the States Members might be formed into groups for the mutual exchange of information; these groups might be formed on the basis of the national security of the States Members.

As regards the first of these proposals, the Commission decided that the Secretariat should be invited to bring out a year book based on information drawn from official documents and keeping within the limits of the last paragraph of Article 8 of the Covenant.

As to the second suggestion, the Commission, without prejudicing its opinion on the matter, decided to refer it back to the Secretariat in order that a complete scheme should be prepared for the examination of the Commission at a later session.

Resolutions Nos. X and XI: The Washington and Santiago Conferences.

X. “The Assembly expresses its satisfaction at the work accomplished at Washington in connection with the reduction of naval armaments.”

XI. (a) "The Assembly welcomes with interest the Chilean Government's initiative in submitting the question of disarmament to the Pan-American Congress which is to meet at Santiago in March 1923.

"The Assembly expresses the hope that the Congress may arrive at practical solutions capable of being fitted into the more general scheme of disarmament which is being considered by the League of Nations.

(b) "The Assembly recommends to the Council that the expert services of the League of Nations should eventually be authorised to co-operate in the work of the Pan-American Congress of Santiago."

No action required.

Resolution No. XII: Extension of the Principles of the Washington Treaty.

"The Assembly recommends:

(a) That an international conference should be summoned by the Council as soon as possible, to which all States, whether Members of the League or not, should be invited, with a view to considering the extension to all non-signatory States of the principles of the Washington Treaty for the Limitation of Naval Armaments, it being understood that any special cases, including those of the new States, shall be given due consideration at the Conference;

(b) That the report of the Temporary Mixed Commission, together with the report and the draft Convention prepared by the Permanent Advisory Commission, as well as the text of the Washington Treaty, should be forwarded immediately to the various Governments for consideration."

The Council, on January 31st, 1923, decided to notify the States Members of the League of Nations and other States that the international conference would be held shortly after the close of the Pan-American Conference at Santiago. It was decided that this conference should be held at the seat of the League and that the agenda should include, besides the question of extending to States Members of the League of Nations the principles of the Washington Naval Treaty, the question of the adherence of those States to the Treaty of February 6th, 1922, relating to the use of asphyxiating gases and submarines in time of war.

The Council further decided that the report of the Temporary Mixed Commission, together with the report and the draft convention drawn up by the Permanent Advisory Commission in 1922, as well as the texts of the Washington Naval Treaty and of the Treaty in relation to the use of submarines and noxious gases in warfare, should be forwarded to all States Members of the League.

Action was taken on this resolution of the Council on February 17th, 1923.

The Temporary Mixed Commission, during its February session, emphasised the importance of inviting to the international conference all States possessing a navy, whether Members of the League or not. The Commission requested the Council to consider the advisability of issuing to the Permanent Advisory Commission without delay, instructions to examine the extension to such States of its technical scheme.

The Council, during its April session, decided to postpone consideration of this question to its next session.

Resolutions Nos. XIII, XIV and XV:

Scheme for a Reduction of Armaments; Treaty of Mutual Guarantee; Regional Agreements.

XIII. "The Assembly, having examined the report of the Temporary Mixed Commission on the general principles of land and air disarmament, instructs the Commission to continue its investigations on the basis of these principles with a view to preparing for the consideration of the next Assembly a definite scheme for the general reduction of land and air armaments."

XIV. (a) "The Assembly, having considered the report of the Temporary Mixed Commission on the question of a general Treaty of Mutual Guarantee, being of opinion that this report can in no way affect the complete validity of all the Treaties of Peace or other agreements which are known to exist between States; and considering that this report contains valuable suggestions as to the methods by which a Treaty of Mutual Guarantee could be made effective, is of the opinion that:

"1. No scheme for the reduction of armaments, within the meaning of Article 8 of the Covenant, can be fully successful unless it is general.

"2. In the present state of the world, many Governments would be unable to accept the responsibility for a serious reduction of armaments unless they received in exchange a satisfactory guarantee of the safety of their country.

"3. Such a guarantee can be found in a defensive agreement which should be open to all countries, binding them to provide immediate and effective assistance in accordance with a prearranged plan in the event of one of them being attacked, provided that the obligation to render assistance to a country attacked shall be limited in principle to those countries situated in the same part of the globe. In case, however, where, for historical, geographical, or

other reasons, a country is in special danger of attack, detailed arrangements should be made for its defence in accordance with the above-mentioned plan.

"4. As a general reduction of armaments is the object of the three preceding statements, and the Treaty of Mutual Guarantee the means of achieving that object, previous consent to this reduction is therefore the first condition for the Treaty.

"This reduction could be carried out either by means of a general treaty, which is the most desirable plan, or by means of partial treaties designed to be extended and open to all countries.

"In the former case, the Treaty will carry with it a general reduction of armaments. In the latter case, the reduction should be proportionate to the guarantees afforded by the Treaty.

"The Council of the League, after having taken the advice of the Temporary Mixed Commission, which will examine how each of these two systems could be carried out, should further formulate and submit to the Governments for their consideration and sovereign decision the plan of the machinery, both political and military, necessary to bring them clearly into effect.

(b) "The Assembly requests the Council to submit to the various Governments the above proposals for their observations, and requests the Temporary Mixed Commission to continue its investigations, and, in order, to give precision to the above statements, to prepare a draft Treaty embodying the principles contained therein.

XV. "The Assembly,

"Whilst declaring that the reduction of armaments contemplated by Article 8 of the Covenant cannot achieve its full effect for world-peace unless it be general:

"Desires to emphasise the importance of regional agreements for the purpose of reducing armaments—agreements which, if necessary, might even go beyond the measures decided upon in respect of general reduction;

"And requests the Council to ask the Temporary Mixed Commission to take into consideration, during its subsequent work, the possibility of recommending the conclusion of similar agreements to States which might be concerned."

The Council decided on October 4th, 1922, to ask its President to forward to the various Governments for their observations the proposals contained in Resolution No. XIV.

Action was taken on this decision of the Council on October 23rd, 1922.

The Council, on January 31st, 1923, decided, on a statement by the Permanent Advisory Commission, that a final report on the question raised by this resolution could not be drawn up until the technical investigation had been completed. It instructed the Permanent Advisory Commission to pursue its investigations solely from the technical point of view and excluding matters relating to political conditions, with a view to ascertaining whether it was possible to apply the principle embodied in the resolution in accordance with the various methods suggested.

On March 9th, 1923, a letter was sent to all the Governments concerned requesting them to send any observations they might wish to make in regard to Resolution No. XIV before June 1st, 1923.

The Temporary Mixed Commission, during its February session, considered a draft Treaty of Mutual Guarantee which had been presented to it by Lord Robert Cecil in virtue of Resolution No. XIV. The Temporary Mixed Commission referred this draft treaty to the Permanent Advisory Commission for technical advice, recommending the Council meanwhile to forward the treaty to the Governments of the States Members of the League with a request that they would take the matter into consideration and communicate their observations to the Council.

The Commission further decided to appoint a special committee to examine the draft Treaty of Mutual Guarantee submitted to it by Lord Robert Cecil, to study its clauses, and to report to the plenary Commission after having received the views of the Permanent Advisory Commission.

The Permanent Advisory Commission reported on the draft Treaty on April 21st. It expressed a unanimous opinion that, from a military, naval and air point of view, the draft did not constitute a solid basis for a scheme for the limitation of armaments.

This opinion was forwarded to the special Committee which met in London on May 14th, 1923.

The Council, on April 21st, decided to request its President to forward the draft Treaty to the Governments for their information.

The question of the Treaty of Mutual Guarantee was the subject of careful examination on the part of the Temporary Mixed Commission at its June session. The Commission had to study not only Lord Robert Cecil's proposals, as they had been redrafted by the special Committee which it had appointed, but also another draft Treaty which had been submitted by Colonel Réquin, as well as a proposal for the examination of the establishment of demilitarised frontier zones in connection with the first of these two schemes.

After a general discussion, the Commission decided:

"(I) To read and discuss the provisions of Lord Robert Cecil's draft at the present session without reaching any decision in this matter by vote and having due regard to the other proposals submitted to the Commission, including the proposal concerning demilitarised zones;

“(2) To refer Colonel Réquin’s draft and Lord Robert Cecil’s proposal concerning the creation of demilitarised zones to the Permanent Advisory Commission and the special Committee for consideration;

“(3) To refer the drafting of the final scheme, which the Commission has been requested to draw up, until the session which is to be held before the next Assembly (July 31st).”

Resolution No. XVI: Reparations.

“The Assembly,

“Considering that moral disarmament is an essential preliminary condition of material disarmament and that this moral disarmament can only be achieved in an atmosphere of mutual confidence and security:

“Declares that such confidence cannot be attained so long as the world continues to suffer from disorganisation of the exchange, economic chaos and unemployment, and that the only method of remedying these evils is to put an end to the uncertainty which prevails regarding the means for the restoration of the devastated regions and the settlement of the inter-Allied debts;

“Expresses the hope that, in so far as these questions can be regulated by the unaided efforts of the European nations, the Governments signatories of the international treaties and agreements which deal with these questions, and within the framework of which they must be envisaged, will achieve as soon as possible a general settlement of the problem of reparations and Inter-Allied debts;

“And further recommends that the Council shall devote constant attention to every effort made in this direction by the Governments concerned, it being understood that it can only usefully assist in the solution of these problems if requested to do so by the Governments in question.”

No action has been taken by the Council on this resolution.

6.

POLITICAL QUESTIONS.

I. POLONO-LITHUANIAN QUESTION.

THE FRONTIER BETWEEN POLAND AND LITHUANIA.

The Military Commission of Control despatched in 1920 by the Council of the League to the territory in dispute between Poland and Lithuania established two neutral zones in the frontier districts: one in the region of Suwalki and the other in the region of Vilna. When it was decided to withdraw the Commission it was feared that the position of the population in these neutral zones would become intolerable. Early in 1922 the Polish representative proposed that a provisional line of demarcation should be substituted for the neutral zones without prejudicing the rights of the two parties to the territories in dispute.

The Lithuanian representative could not agree to a provisional line of demarcation. He contended that the only possible division between Poland and Lithuania was the line of demarcation fixed by the Suwalki Agreement, which should have come into force on October 10th, 1920, and which attributed to Lithuania the territory of Vilna. He could not accept any line of demarcation, even if it were provisional, which ran contrary to this agreement. He desired the retention of the neutral zone and asked the Council to appoint a High Commissioner belonging to a neutral nation to serve as intermediary between the two Governments to protect the various racial groups in the disputed territory and generally to prevent the revival of frontier incidents within the neutral zone on the withdrawal of the Commission.

The Council, on January 13th, 1922, decided to withdraw the Military Commission of Control. It declared itself in consequence in favour of substituting a provisional line of demarcation for the neutral zones, and it formally invited the representatives of the two Governments to accept this solution. The Lithuanian Government, however, persisted in its refusal to accept this arrangement, and on May 17th, 1922, the Council suggested that the neutral zones might be maintained between the armed forces of the two countries but that a provisional line of demarcation should be established for the purposes of the civil and judicial administration of the communes in the district. It decided, at the same time, to send a commission to study the line which might eventually be adopted and to submit a report to the Council.

In accordance with this decision, M. Saura, as delegate of the Council of the League, proceeded to Vilna on August 27th, 1922. He surveyed the Vilna zone in September and visited the neutral

zone of Suwalki in October, returning to Geneva on October 18th and presenting his report to the Council on February 1st, 1923.

It appeared from this report that the situation in the neutral zones was serious. The zones had fallen into a state of complete disorder on the departure of the Commission of Control at the beginning of 1922. Nationalist organisations had entered the district organised as militia. Both the Polish militia and the Lithuanian militia in the neutral zones were well provided with arms and possessed even machine-guns. Armed encounters were frequent. The two forces did not aim at establishing order, but rather at making a conquest of the zones. The report of M. Saura concluded with a description of the localities which, in his opinion, should be administered by the Lithuanian and by the Polish State respectively if the Council decided to establish a line of demarcation.

The Council, on February 3rd, 1923, accepting the conclusions of the report of M. Saura, traced a provisional line of demarcation dividing the neutral zone of Vilna in two approximately equal parts, the railway line from Grodno to Vilna being left to Poland. The northern zone, to the west of the Vilna-Dwinsk railway line, was left to Lithuania. The Council asked the parties to accept this line for administrative purposes. It was understood that the territorial rights of both States remained intact. The two Governments were asked to employ all the means at their disposal to disarm and disband the militia found in the districts placed under their provisional administration.

The representative of Poland accepted the recommendation of the Council.

The representative of Lithuania expressed the opinion that the Covenant of the League of Nations did not give to the Council the right to take decisions or to give an arbitrary award in the case. He contended that no dispute on the subject of the neutral zone had ever been referred to the Council by the interested parties, and that, in these circumstances, the Council could do no more than issue a recommendation for the acceptance of the Governments concerned. The Lithuanian representative concluded as follows:

“If Poland attempts to modify the situation in the neutral zone..... without the consent of the Lithuanian Government, that Government would find itself obliged to oppose any such act by every possible means and in the most energetic manner. Further, the Lithuanian delegation has the honour to state, in the name of its Government, that it cannot accept or recognise the modifications contemplated for the neutral zone and contained in the Council resolution.”

The Polish Government at once took steps to extend its administration over the districts lying on the Polish side of the provisional line of demarcation. Various incidents occurred during which several persons were killed and wounded.

The Lithuanian Government, as a result of these incidents, in a note dated February 18th, asked for an urgent meeting of the Council to prevent an extension of the conflict.

The President of the Council used his influence and authority to restore peace without being forced to resort to this extraordinary procedure, and the Secretary-General kept the Council informed of the progress of events, obtaining reports on the movements of the Polish police forces in the districts finally occupied, so as to make sure that the recommendation made by the Council was duly observed.

Meanwhile, the Polish Government requested the Principal Allied Powers to make use of the right reserved to them under Article 87 of the Treaty of Versailles to determine such boundaries of Poland as were not laid down in the Treaty itself and to fix the frontier between Poland and Lithuania.

The Conference of Ambassadors gave its decision on March 15th, 1923. According to this decision, the frontier between the two countries in the region of Vilna is fixed in conformity with the provisional line of demarcation traced in the recommendation issued by the Council on February 3rd. M. Hymans, in a report submitted to the Council on April 21st, 1923, expressed the view that, as the political frontier between Poland and Lithuania had thus been determined in accordance with the procedure laid down in the Treaty of Versailles, the question dealt with by the Council had now become a matter of history.

The representative of Lithuania, appearing before the Council on April 21st, said that Lithuania protested against the decision of the Conference of Ambassadors, contending that it had no right to dispose of territories which had belonged to the former Russian Empire. He further maintained that the attitude of the Council of the League towards the decision of the Conference of Ambassadors was inconsistent with its previous declarations. The Council, in referring to the provisional line of demarcation, had always been careful to reserve the territorial rights of both States, and the Council, in its resolution of January 13th, 1922, had maintained that it could not recognise any solution of a dispute submitted to the League by one of its Members reached without regard to the recommendation of the Council or without the consent of both the parties concerned. In subsequent recommendations, the Council had again insisted that the territorial rights of both sides should remain intact. The Lithuanian Government had always feared that a recognition of a provisional line of demarcation, despite any reserves which were made, might be interpreted as a recognition by the Council of the state of affairs created by the *coup de force* of the Polish general Zeligowski. Events, said the Lithuanian representative, had proved Lithuania to be right. The decision of the Conference of Ambassadors sought to trace the eastern frontiers of Poland so as to include the territory of Vilna within the Polish State. The Conference of Ambassadors had thereby taken a decision giving to the resolution adopted by the Council on February 3rd an interpretation which the Council itself had previously refused to accept.

M. Hymans pointed out in answer that both the parties had consented to recognise the competence of the Conference of Ambassadors. The Lithuanian Government had not only recognised the competence of the Conference of Ambassadors by asking the Council on May 17th, 1922, to draw the attention of the Allied Powers to the urgent necessity of tracing the eastern frontier of Poland, as they were entitled to do by Article 87 of the Treaty of Versailles. It had, moreover, asked the Conference of Ambassadors to fix the frontier, thereby (according to the declaration made by the Lithuanian representative before the Council on January 13th, 1922) settling at the same time the Polono-Lithuanian dispute.

By making this request, Lithuania had recognised Article 87 of the Treaty of Versailles.

M. Hymans added that the Suwalki Agreement itself, so often referred to by the Lithuanian Government, was nothing more than an agreement with regard to the establishment of a provisional *modus vivendi*; it fixed a line of demarcation between the armies which in no way prejudiced the territorial rights of the two parties. This agreement could not be said to be a solemn recognition on the part of Poland of the rights of Lithuania over the territory of Vilna.

The Council noted the report of M. Hymans and the observations to which it had given rise.

The Lithuanian representative notified the Council that the Lithuanian Government desired to place on the agenda of the next Assembly the question of the fixing of the frontier, as well as the final decision of the Council of the League.

REQUEST OF LITHUANIA FOR THE SUBMISSION OF CERTAIN QUESTIONS TO THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

At the meeting of the Council held on February 3rd, 1923, the Lithuanian representative argued that, as the neutral zone had been established by a convention between two States, the question should be settled in accordance with Article 13 of the Covenant, which declared disputes as to the interpretation of a treaty to be among those generally suitable for submission to arbitration. He contended that the Council would establish an unfortunate precedent if it attempted to modify a treaty between two Governments without their consent. This would be contrary to the principle of the Covenant and to the sovereignty of States.

The President of the Council was of the opinion that it was not Article 13 of the Covenant which was applicable but paragraph 6 of Article 15.

The Lithuanian Government, in a telegram dated February 10th, 1923, and in a letter dated March 8th, 1923, formally submitted certain observations in regard to the Council's resolution of February 3rd and requested the Council to refer to the Permanent Court of International Justice the following questions:

(1) Has the Council of the League of Nations the right, when a dispute is submitted to it under paragraph 1 of Article 15 of the Covenant, to address to the parties, with regard to incidental questions which have not been specifically submitted to it, recommendations having the same force as the Council's reports referred to in paragraphs 4, 6 and 7 of the same article?

(2) If the recommendations of a report by the Council of the League of Nations have been adopted in the circumstances contemplated in the sixth paragraph of Article 15 of the Covenant of the League of Nations and have been accepted by one of the parties, are such recommendations binding upon the other party if it does not accept them? And, secondly, if, within the period fixed by Article 12 of the Covenant it goes to war with a party which accepts the report, is it liable to the penalties laid down in Article 16?

The Council considered this request on April 21st, 1923.

M. Hymans expressed the opinion that it was hardly compatible with the constitution of the League of Nations to submit to the Permanent Court of International Justice the question of the validity of a decision taken by the Council. He did not think the validity of the decision could be seriously questioned, and, in any case, this decision now referred to a situation which was purely a matter of history. There could be no doubt that the Council, in making its recommendation of February 3rd, 1923, had acted within the scope of the Covenant. The dispute between Poland and Lithuania had been formally submitted to the Council on September 6th, 1920, and the Lithuanian Government had recognised the competence of the Council. The Council had frequently been obliged, with the assent of both parties, to make recommendations with the object provisionally of maintaining a state of peace between the two countries. He did not think that there was any occasion for obtaining the opinion of the Permanent Court of International Justice on the subject.

The Council associated itself with the views expressed by M. Hymans.

TREATMENT OF THE NON-POLISH POPULATION IN THE VILNA DISTRICT.

The Assembly decided on September 21st, 1922, to refer to the Council for its special consideration the question of the treatment by the Polish authorities of the non-Polish population of the disputed territory of Vilna. This question was brought before the third Assembly by the Lithuanian Government and discussed in the Sixth Committee.

The third Assembly regarded the question as coming within the scope of the resolution adopted by the Council on January 13th, 1922, in which that body, after having drawn up its final recommendation for the settlement of the dispute between Poland and Lithuania, reserved to itself the right to deal with the question, if necessary, by requesting the two Governments to allow it to send representatives to the spot for the purpose of making a report.

M. Sidzikauskas, representative of Lithuania, subsequently forwarded to the President of the Council on September 25th, 1922, a petition from the Lithuanian and White Russian populations in the territory of Vilna asking that the subject should be placed on the agenda of the next session of the Council.

The Council considered the question on February 1st, 1923. The representative of Poland proposed on behalf of his Government that all questions relating to the protection of minorities in the Vilna region should be dealt with by the League of Nations in accordance with the normal procedure applicable under the rules laid down in the Polish Minorities Treaty of June 28th, 1919. This proposal was supported by M. Hymans, acting as rapporteur.

The Lithuanian representative said that this proposal did not satisfy the Lithuanian delegation in view of the controversial position of the Vilna territory and of certain measures adopted by the Polish Government with a view to its annexation. He contended that the provisions of the minorities treaties were designed for normal situations and that they did not offer sufficient guarantees in this case. He argued that the situation in Vilna was one likely to affect international relations and to disturb peace within the meaning of Article 11 of the Covenant. The territory in question was occupied by a Polish army, and the Polish authorities were closing the schools and proceeding to numerous arrests and expulsions.

He urged that a commission of enquiry should be sent to the Vilna region to verify the facts on the spot and to embody them in a report to the Council. He further asked that the Council should send to Vilna a permanent commissioner to protect the non-Polish population both of the territory in dispute and of the neutral zone.

The Council decided that all questions relating to the protection of the non-Polish elements in the region of Vilna should be dealt with by the League of Nations in conformity with the usual procedure applied under the rules established by the Minorities Treaty of June 28th, 1919. It was understood that this decision in no way modified the terms of the recommendation of the Council of January 13th, 1922, in regard to the territorial question.

II. ALBANIA.

FINAL REPORTS OF THE COMMISSION OF ENQUIRY.

The Commission of Enquiry to Albania¹ presented its final reports to the Council in April 1923.

The International Position of Albania.

Previous reports had shown that, owing to the intervention of the League, the foreign relation of Albania had immensely improved. The Commission, on leaving Albania, was in a position to report that few outstanding questions remained between Albania and her neighbours likely to give rise to any anxiety. Albania had exchanged diplomatic representatives with the adjacent countries, as well as with many other States. Her frontiers had been delimited, with the exception of some small sectors where the work of delimitation was about to begin. Responsible representatives of neighbouring Powers had publicly stated their intention and desire to maintain cordial relations with the new State of Albania and to respect her independence and integrity.

The Commission, in its final report, confirms its recommendation of the previous year to the effect that Albania should refrain as far as possible from any active foreign policy. In the view of the Commission, it was essential that Albania should enjoy complete neutrality in order to devote herself entirely to her constitutional, economic and social development.

The International Position.

The Commission points out that the international position of Albania and the internal conditions prevailing in the country are largely interdependent. Disorder within her borders inevitably reacts on the relations of Albania with her neighbours. Excellent measures have already been taken to improve the internal situation. The population has been disarmed, and in many districts where robbery was a form of livelihood the population has settled down to agricultural and other peaceful works. The Central Government, with uncontested power over the whole of the

¹ See "Records of Third Assembly, Plenary Meetings", Volume II, pages 33-37.

territory of Albania, is in a position to call in conscripts and to levy taxes even in remote regions. An insurrection which broke out in January 1923 was easily suppressed. Such insurrections, which are led by feudal chiefs and adventurers and organised by politicians, are unlikely to recur so long as there is no money with which to pay the men who share in them.

The present Government has exceptional powers, and there are still a number of influential people in exile. It is, however, proposed to convene in the autumn a constitutional assembly which will discuss a permanent form of constitution. The country is hardly ripe for universal suffrage or the more advanced forms of parliamentary government. The problem before the Constitutional Assembly will be to constitute a strong central government, at the same time allowing the various provinces a certain measure of local administration.

The present Government desires to obtain the services of foreign advisers in the various fields where reforms are necessary. It has decided to appoint technical experts from abroad to advise it on the reform of the legal system, education, police, public works, health, and possibly other services.

The Resources of Albania.

The general conclusion of the Commission is that it will take some years to create a mining industry and that there is no immediate future for the development of the great hydraulic forces which are available. The principal asset of Albania is her soil, and it will be possible to increase the natural wealth of the country by improving upon primitive and wasteful methods of cultivation and by liberating and developing large tracts of fertile soil by drainage and a scientific regulation of certain rivers. The industry which at present promises to become the principal source of revenue to the country is the cultivation of tobacco, for which the soil and climate are particularly well suited.

The Commission hopes that foreign capital may be found for the development of the agricultural, mineral and other resources of the country. Albania needs in particular a bank of issue and commercial and agricultural banks.

The Late Events in the Near East.

The late events in the Near East have undoubtedly stirred the feelings of the Mahomedan inhabitants of Albania and caused some misgiving to their Christian compatriots. There is no fanaticism among the Mahomedan population, but the recent successes of Turkey have accentuated the divergence between the Christians and Mussulmans of Southern Albania.

The Position in Southern Albania.

The question of the relations of the Mahomedan and Christian elements is perhaps the most important question at issue in Southern Albania. The Commission states that there is at present much discontent among the Christian population in this region.

In Southern Albania the Christians and Mussulmans are almost equal in number. The Commission does not consider that the Greek sympathies of the majority of the orthodox population of Southern Albania should be attributed to Greek nationalism. There are no racial feelings between Greeks and Albanians. The Greek population desires a strong and enlightened Albania, and has no desire to come under Greek rule if it can be assured that the political system to prevail in future is likely to give it the institutions and administrations which it desires. The Christian population is pacific, and its feelings for Greece are not those of an irredenta. No revolutionary movement is likely to be attempted. There still exists strong anti-Mussulman feeling among a great portion of the population of Southern Albania, but this feeling is directed against real or supposed remnants of the old Turkish regime of oppression. Christians of the south complain that they have less influence in public affairs than the Mahomedans and Catholics. They allege that the Christian officials nominated by the Government are in the main those who possess the confidence of the Mahomedans. There is a feeling that justice is not entirely equal for Christian and Mussulman, and particular hardship is alleged in regard to the ownership and renting of land.

The Commission reports in detail on the question of the formation of an independent Orthodox Albanian Church and on the schools question in Southern Albania in its relation to the rights of religious and linguistic minorities.

TERMINATION OF THE WORK OF THE COMMISSION.

The Council decided on February 3rd, 1923, that it was not necessary for the Commission to remain any longer in Albania. The representative of Albania concurred in this view and expressed gratitude on behalf of his Government for the great services which the Commission had rendered to his country.

The Council, on April 18th, noted the final reports of the Commission and thanked Professor Sederholm and Count Frederik Moltke for the services which they had rendered to the League of Nations.

APPOINTMENT OF A FINANCIAL ADVISER.

The Council considered the appointment of a financial adviser to Albania on February 3rd, 1923. It requested a sub-committee, composed of Lord Balfour, M. Branting, M. Salandra and M. Viviani, to come to a final decision as to the choice of a candidate.

On April 18th, the Council formally approved the appointment of Mr. J. D. Hunger, lately Administrator of Batavia in the Dutch East Indies. The appointment was made on the advice of the Financial Committee of the League and with the agreement of the Albanian Government. Mr. Hunger, whose contract is for five years, will present a quarterly report to the Council.

III. THE FRONTIER BETWEEN AUSTRIA AND HUNGARY.

The circumstances in which the question of the frontier between Austria and Hungary was brought before the Council and an account of the action taken by the Council in July 1922 will be found in the supplementary report to the third Assembly¹.

Both Austria and Hungary had agreed in advance to accept the decision of the Council. Austria was bound by the protocol signed at Venice on October 13th, 1921, and the Hungarian Government, in a letter to the Council dated April 13th, 1922, had formally expressed its desire that the Council should act as arbitrator.

The Council announced its decision on September 19th, 1922. It modified, in some respects, the proposals of the boundary commission, leaving to Austria the localities of Pamhagen, Hammer and Leka, the communes in the valley of the Pinka south of Pornopati, the commune of Csem, and the villages of Felso-Also-Beled, and Szenpeterfa. Hungary received back the locality of Liebing, the communal forests belonging to the city of Koszeg, the village of Rattersdorf, together with the valley of the Pinka north of Pornopati and Pornopati itself.

It was provided that a special protocol should be drawn up by the Delimitation Commission binding on the two Governments, with the object of avoiding any prejudice to the hydro-technical interests of the district of Pamhagen, and the supervision of this protocol was entrusted to the permanent Technical Hydraulic System Commission instituted by the Treaty of Trianon. The Council also recommended that the two Governments, assisted by the Delimitation Commission, should take permanent or provisional measures to avoid disturbances in the economic relations and frontier communications in the neighbourhood of the new frontier.

IV. THE FRONTIER BETWEEN HUNGARY AND CZECHOSLOVAKIA.

The question of the delimitation of the frontier between Hungary and Czechoslovakia was brought before the Council under the terms of the letter of May 6th, 1920, signed by the President of the Peace Conference. The letter generally laid down that the Council may be requested, by a report from the Delimitation Commission and on the request of one of the parties concerned, to intervene with a view to obtaining local modifications in the frontier lines laid down by the Treaty of Trianon, provided the Commission is of opinion that "the provisions of the Treaty involve an injustice at any point which it would be to the general interest to remove". This procedure may be resorted to in case "the frontier-line thus traced may not exactly correspond to the ethnological or economic requirements".

In this case the Delimitation Commission was divided on the question of the frontier in the district of Salgotarjan, three of its six members suggesting one frontier-line and three another. In accordance with Article 362 of the Treaty of Trianon, the President of the Commission made use of his casting vote in order to refer the question to the Council. According to the procedure set out in the preceding paragraph, the Hungarian Minister for Foreign Affairs requested the Secretary-General, in a letter dated November 16th, 1922, to bring the matter before the Council. On its side, the Conference of Ambassadors, in a letter dated January 3rd, 1923, communicated to the Council two reports presenting respectively the point of view expressed by the British, Japanese and Hungarian members of the Commission on the one hand, and the French, Italian and Czechoslovakian members on the other.

The Council considered this question on January 31st, 1923. The representatives of Hungary and Czechoslovakia agreed that the good offices of the Council should take the form of arbitration,

¹ See "Records of the Third Assembly, Plenary Meetings", Volume II, page 96.

and M. da Gama, Brazilian representative on the Council, was requested to present a report at the next session.

After a careful study of the documents and in consultation with the two parties, M. da Gama prepared a report which he presented to the Council on April 17th, 1923. There were many factors to be considered; in particular, the attention of the Council was drawn to the following points:

- (1) The ethnological question, the village of Somosujfalu being inhabited by 1,800 persons speaking the Magyar tongue.
- (2) The coal question, the Treaty stipulating that the mines of Salgo and Zagyarona shall return to Hungary.
- (3) The question of the stone quarries, the yield of which is rather considerable in the disputed area.
- (4) The question of the forests.
- (5) The questions of local labour and agricultural arrangements.
- (6) The question of the railway and the road connecting the quarries to the railway station.

Owing to the topography of the district and the existence of the railway crossing it from north to south, the Permanent Advisory Commission for Military, Naval and Air Questions was requested by the Council to give advice on the points of a military character connected with the district in question. The Council, in view of the observations submitted to it by the Military Sub-Commission of the Permanent Advisory Commission, and after a further hearing of the two parties, announced its arbitral decision on April 23rd.

The frontier laid down by it leaves all the mines, one of the three quarries and the two villages of the disputed district in Hungarian territory, the inhabitants of the latter being Magyar. On the other hand, the Council left to Czechoslovakia the uninhabited heights north of the villages of Somoskő and of Somosujfalu. The Czechoslovak Government will have the right to use the railway station of the latter village as a frontier and Customs station, and the Hungarian Government undertakes to grant all possible facilities in connection therewith. The Czechoslovak Government, on its side, shall take all measures to facilitate the working of the basalt quarry situated to the north of the village of Somoskő and the transit of the products of that quarry on their way to the Somosujfalu station.

The representatives of Hungary and Czechoslovakia accepted the Council's arbitral decision.

V. THE FRONTIER BETWEEN HUNGARY AND THE KINGDOM OF THE SERBS, CROATS AND SLOVENES.

The circumstances in which the question of the frontier between Hungary and the Kingdom of the Serbs, Croats and Slovenes was brought before the Council, and an account of the action taken by the Council in July 1922, will be found in the supplementary report to the third Assembly.¹

The limits within which the good offices of the Council might be employed in settling this question were defined in a letter addressed to the Hungarian Government on May 6th, 1920, by the President of the Peace Conference. In this case the Council was not called upon to intervene as an arbiter but merely to use its good offices at the request of one of the interested parties in order to obtain a settlement by friendly agreement.

The Council, during its session in September 1922, did everything in its power to induce the parties to come to an agreement, and various compromises were discussed.

On September 30th, the Council was obliged to announce that it had been impossible to arrive at an agreement. The Kingdom of the Serbs, Croats and Slovenes refused to cede to Hungary the territory known as Prekomourie lying in the region where the frontiers of the Kingdom of the Serbs, Croats and Slovenes, of Hungary and of Austria meet, on the grounds that this frontier had been fixed by a treaty which had been ratified by the Serb-Croat-Slovene Parliament and that the consent of the latter would be indispensable for such a considerable alteration. The Kingdom of the Serbs, Croats and Slovenes, however, declared its readiness to cede to Hungary a road crossing the north-western extremity of Prekomourie, together with a village on that road, provided Hungary would consent to an exchange of territory further east on the frontier between the two States.

The representative of the Hungarian Government stated that an exchange in the eastern section of this frontier could only be contemplated if the Government of the Kingdom of the Serbs, Croats and Slovenes would accept arbitration by the Council of the League regarding the district of Prekomourie, which the Boundary Commission proposed to allocate in its entirety to Hungary. The Hungarian Government considered that the proposed transfer of the road in the north-western angle of Prekomourie was too small a concession.

Under these circumstances, the Council decided to inform the Conference of Ambassadors that, in spite of its efforts, it had been unable to persuade the interested parties to contemplate a friendly settlement of the question.

¹ See "Records of the Third Assembly, Plenary Meetings", Volume II, page 97.

•VI. EASTERN CARELIA.

By the terms of the Treaty concluded on October 14th, 1920, between Finland and the Federal Russian Soviet Republic, the Government of the Soviets undertook to grant to the people of Finnish race and speech inhabiting Eastern Carelia a form of autonomy. The Finnish Government is of opinion that this undertaking has not been fulfilled. It contends that the Treaty of October 1920 has been violated and that the population has been subjected to a reign of terror.

The question was brought before the Council of the League of Nations as a result of the outbreak which took place in that country during the winter 1921-1922, and on January 14th, 1922, the Council stated that it was ready, if the two parties agreed, to examine the question.

The Council, in making this declaration, suggested that a Member of the League having diplomatic relations with the Government of Moscow might be able to give the Council information as to the views of the Russian Government.

Acting on this suggestion, the Estonian Government entered into correspondence with the Government at Moscow. The latter declared that the question of Eastern Carelia was purely a domestic question and concerned only Soviet Russia. It could not therefore agree to any intervention in the dispute which had arisen on the subject between Russia and Finland.

The Council again considered the subject on February 1st, 1923. The Finnish Government contended that, owing to certain stipulations contained in the Treaty of October 1920, the treatment of the inhabitants of Eastern Carelia was not, as the Soviet Government maintained, a purely internal question but an international question concerning the interpretation of a treaty to which a Member of the League was a party and which had been registered in the Secretariat in conformity with Article 18 of the Covenant. The Finnish Government argued that the Permanent Court of International Justice was, by Article 14 of the Covenant, especially qualified to decide this question by means of an advisory opinion to the Council.

It was decided that the members of the Council should examine the question individually and consider it again at a later session.

The question was again considered by the Council on April 20th and on April 21st, 1923. The Finnish Government defined the question on which it desired to obtain the opinion of the Permanent Court in the following terms:

“Do Articles 10 and 11 of the Treaty of Peace between Finland and Russia, signed at Dorpat on October 14th, 1920, and the annexed Declaration of the Russian Delegation regarding the autonomy of Eastern Carelia, constitute engagements of an international character which place Russia under an obligation to Finland as to the carrying-out of the provisions contained therein?”

The Council considered that the request of the Finnish Government could be allowed in principle. It considered that legally it undoubtedly had the right to refer this question to the Court, and that the matter was within the competence of the League.

Soviet Russia was neither a Member of the League nor a party to the Statute of the Permanent Court, and it would not juridically be bound by the decision of the Court. The opinion of the Court might, however, be of assistance in clearing up the legal points which were in dispute between the two countries. The Council was not asked to consider the question of Eastern Carelia as a dispute in which Finland and Russia were “parties” in the legal sense of the word, and the Court might give a reply to the question raised by the Council without the countries concerned actually appearing. The reply of the Court might be based entirely on the Treaty of October 1920 and on the general principles of international law. In these circumstances, the special situation of the Soviet Government did not seem to raise any particular difficulties.

The Council accordingly requested the Permanent Court to give an advisory opinion on the question submitted by the Finnish Government, taking into consideration any information which the various countries concerned might present. The Secretary-General was authorised to submit this application to the Court together with all the documents relating to it.

VII. THE BULGARIAN INHABITANTS OF WESTERN THRACE.

Submission of the Question to the Council.

The Bulgarian Government, in a letter dated March 31st, 1923, called the attention of the Council to the position of the Bulgarian population in Western Thrace. Further details were added to this appeal in a memorandum forwarded to the League of Nations on April 5th, 1923. The Council considered the question in the presence of the Greek and Bulgarian representatives on April 19th and April 21st, 1923.

Statements by the Parties (April 19th, 1923).

The representative of Bulgaria complained that the Greek Government was forcibly removing Bulgarian inhabitants from their homes in Western Thrace. These removals were said to be

the result of a settled policy of deportation *en masse*, applied with the object of denationalising all the provinces under Greek rule of Bulgarian and Moslem majorities.

The Bulgarian representative stated that each deportation was preceded by the installation in the Bulgarian villages of Greek refugees, who, as soon as the Bulgarians had been obliged to leave their homes, took possession of their property, houses, cattle and land.

The Bulgarian Government had endeavoured to settle this question by negotiation with the Greek Government. In a letter addressed by M. Politis, Minister for Foreign Affairs at Athens, on November 14th, 1922, to the Bulgarian Chargé d'Affaires at Athens, the Greek Government admitted that there had been compulsory removals. M. Politis, in this letter, attributed the responsibility to local authorities. He undertook to take steps to stop the removals and to permit the families thus removed to return to their homes.

M. Gonatas, who succeeded M. Politis as Minister for Foreign Affairs, replied to later protests from the Bulgarian Government concerning fresh deportations, justifying them as imposed by military necessity owing to the action of Bulgarian armed bands in the frontier districts.

The Bulgarian representative argued that the letter of M. Politis of November 14th, 1922, showed that the system of deportation prevailed previous to the action of the armed bands. He stated that the existence of the armed bands was a consequence and not a cause of the policy of violence of the Greek Government. He informed the Council that Bulgaria was addressing to the Powers which were sovereign in Thrace a request to withdraw from Greece the mandate which she was exercising in Western Thrace and to entrust this mandate to the League of Nations. Meanwhile, he asked the Council to invite the Greek Government to restore to their homes the refugees who had been deported and to apply to these refugees the recognised principles for the protection of ethnical and religious minorities. He suggested that the facts might be verified by an enquiry conducted on the spot.

The Greek representative said that the measures taken by the Greek Government in Western Thrace were necessary in order to ensure the security of the Greek army which was of necessity maintained in complete mobilisation in that province. He referred to the presence of "Macedonian bands" formed on Bulgarian territory which unceasingly invaded the border States. The Bulgarian Government had confessed that it was powerless to repress their activity. These bands fostered an artificial unrest, with the hope of detaching the province from Greece. The Greek High Command had ascertained that the Bulgarian inhabitants of Western Thrace not only supported these bands but also supplied them with rifles and ammunition. It had therefore been obliged to remove certain persons from Western Thrace and to send them to Crete. As a result of this action, the activity of the Bulgarian bands in these regions had immediately ceased.

The Greek representative said he was authorised to repeat before the Council the declaration which his Government had already made to the Government at Sofia: namely, that the Bulgarian inhabitants of Western Thrace provisionally removed from their homes for imperative reasons would be authorised to return as soon as the causes which gave rise to this exceptional measure had disappeared.

Decision of the Council (April 21st, 1923).

The Council, having noted the letter from the Bulgarian Government dated March 31st, 1923, and having heard the statements of the representatives of Bulgaria and Greece, observed that the Treaty between the Principal Allied Powers and Greece signed at Sèvres on August 10th, 1920, which transfers to Greece the rights and titles of the Principal Allied Powers in Western Thrace had not yet been ratified by any of the signatory Powers. The Council accordingly instructed the Secretary-General to forward to the Governments of the Principal Allied Powers the documents and minutes of its deliberations and to express the hope that it would be possible at an early date legally to decide the future of Western Thrace and of its inhabitants and to settle the status of minorities in the territory. It requested the Principal Allied Governments to keep it informed of any future action taken in the matter on the ground that it was necessarily concerned with any situation which threatened to disturb international relations and which was brought to its attention by one of the Members of the League.

The Council noted the declaration of the Greek representative to the effect that the Bulgarian inhabitants of Western Thrace who had been deported would be authorised to return to their homes as soon as the causes which gave rise to this exceptional measure had disappeared; and it requested Dr. Nansen to do all in his power as Commissioner of Refugees to improve the conditions of persons expelled from Western Thrace.

VIII. EXPROPRIATION BY THE ROUMANIAN GOVERNMENT OF THE IMMOVABLE PROPERTY OF HUNGARIAN OPTANTS.

Submission of the Question to the Council.

The question of the expropriation by the Roumanian Government of the immovable property of persons opting for Hungarian nationality was submitted to the Council as the result of a note addressed by the Hungarian Government to the Council under the terms of Article II of the

Covenant. It was considered in the presence of the representatives of Hungary and Roumania on April 20th and on April 21st, 1923.

Statements by the Parties.

The Hungarian representative appealed to Article 3 of the Treaty between the Principal Allied and Associated Powers and Roumania signed at Paris on December 2nd, 1919. It was stipulated in this article that persons who exercised the right of option should, within the succeeding twelve months, transfer their place of residence to the State for which they had opted and that they should be free to retain their immovable property in Roumanian territory. The Treaty of Trianon, especially Articles 61, 63, and 65, also contained stipulations in the sense of these provisions.

The Roumanian Government, by a legislative decree of September 12th, 1919, had expropriated the landed property of foreign nationals, and, for the purposes of this decree, the term "foreign nationals" included all the inhabitants of Roumania who might opt in favour of another State. This decree had been followed by a series of legislative measures, as a result of which the majority of those opting for Hungarian nationality were no longer in possession of their lands.

The Hungarian Government maintained that these agrarian laws of the Roumanian Government were in conflict with the international treaties which stipulated that those opting for Hungarian nationality had a right to retain their landed property in Roumania. Under this legislation, the rural property of absent landowners was expropriated in its entirety. The compensation granted to the dispossessed landowners amounted to only 1 per cent. of the real value of the confiscated lands. The Hungarian representative said that his Government was protesting not against an agrarian reform carried out in good faith but against confiscations which were unjust and contrary to international engagements. He requested the Council to declare that the measures taken by Roumania were contrary to the treaties to which he had appealed; that the confiscated property of persons opting in favour of Hungary should be restored; and that these persons should be compensated for the damage which they had suffered.

The Roumanian representative said that Roumania had for the last few years effected a peaceful revolution by transferring almost the whole of the arable land of the country to the peasants, who had hitherto cultivated a great part of it as labourers. In order to effect this reform, Roumania had imposed upon her citizens sacrifices without precedent. These sacrifices had been imposed by legislation wholly objective in character and showing a strict impartiality towards all whom it concerned. The Hungarian nationals and the Roumanian landowners were treated on a footing of perfect equality.

The Roumanian legislation for the expropriation of landowners dated from 1913. The Roumanian peasants at that time possessed only four million out of the eight million hectares of arable land in the Old Kingdom of Roumania. The other four million hectares belonged to about 4,000 landowners who let their farms on lease. To remedy this situation, compulsory expropriation was thought necessary, and for this purpose the Roumanian constitution had to be modified. Elections held in 1914 resulted in an almost unanimous mandate for expropriation.

The work of agrarian reform, interrupted by the war, was resumed in 1918 and developed in 1921. In the Old Kingdom of Roumania there was a total expropriation of all properties on lease from 1910 to 1920. Moreover, every landowner in Roumania, whether Roumanian or foreign, absent from his land between December 1st, 1918 and March 23rd, 1921, was entirely expropriated.

There had been perfect equality for Hungarians and Roumanians in the execution of these reforms. The absentee provisions applied with greater severity to the Old Kingdom than to Transylvania, but the law made no distinction between Hungarian nationals and Roumanian nationals who were landowners in Transylvania.

The Roumanian representative contended that the Hungarian Government was not pleading for equality of rights but for a privilege within the territory of Roumania to the advantage of Hungarian nationals and to the detriment of Roumanian nationals. It was true that the Treaty of Trianon stipulated that persons opting for Hungary should retain their property. The Hungarian Government interpreted this to mean that the person opting for Hungary remained the owner of a special kind of property which could not be touched by any legislation without an international sanction. The Roumanian contention was that the person opting remained the owner of property which was subject to the national laws of the sovereign State.

Hungary asked for a regime favouring Hungarian nationals at the expense of Roumanian nationals. She demanded payment in gold or the restoration of the landed property. All these demands were impossible.

Proposals of the Council.

On April 23rd the Japanese representative on the Council, acting as Rapporteur, presented a report shortly summarising the arguments of the two parties and proposing that the dispute should be referred to the Permanent Court of International Justice. The relevant passages of the report were as follows:

- "The case put forward by the Hungarian representative may thus be summarised:
• In the legislative provisions dealing with agrarian reform in Transylvania, the

Roumanian Government has not taken into account the provision embodied in Article 63 of the Treaty of Peace of Trianon (see also Article 3 of the Treaty of December, 9th, 1919, between the Principal Allied and Associated Powers and Roumania), under which persons who have opted for Hungarian nationality will be entitled to retain their immovable property in Roumanian territory. The Hungarian Government does not question the Roumanian Government's right to undertake, in general, measures of agrarian reform, but it is of opinion that certain provisions of the law go beyond the scope of any reform scheme which is consistent with Roumania's international obligations.

"The Roumanian representative explained that the programme of agrarian reform in Roumania dated back to the pre-war period and that, although the carrying-out of this reform may have proved exceedingly irksome to the parties concerned, the legislative provisions have always been designed to achieve a single object: social reform in accordance with the principle of absolute equality of treatment for all elements of the Roumanian population. The agrarian reform stipulations specially applicable in Transylvania are intended to meet the actual situation and are not directed against persons of Hungarian nationality who own lands in Transylvania more than against any other inhabitants. In the opinion of the Roumanian representative, the stipulations of the Roumanian law in question are in no way contrary to the stipulations of the Treaties.

"Two opposite legal arguments are accordingly before the Council, and the settlement of the dispute will depend upon the interpretation of the treaties and on the legal examination of the Roumanian legislative stipulations in question.

"Having regard to these considerations, I am of opinion that the most satisfactory method of reaching a solution would be for the parties themselves to submit the dispute to the legal authority set up in accordance with the Covenant of the League of Nations: the Permanent Court of International Justice."

Attitude of the Parties to the Proposals of the Council.

The Hungarian representative said he was prepared to accept this suggestion. He hoped the Council would meanwhile take suspensory measures and request the Roumanian Government to suspend, pending a settlement of the dispute, any proceedings that might be contemplated against the Hungarian landowners.

The Roumanian representative was unable to accept the suggestion that the dispute should be referred to the Permanent Court. He could not agree to submit the constitution of Roumania to the arbitration of a third party. The agrarian legislation of Roumania involved the political and social transformation of a nation. It was not a question of minorities, in which case arbitration would, under certain specified conditions, be compulsory. It was merely a case between one State and another where arbitration was not compulsory and could not be voluntarily accepted.

The Rapporteur then proposed that if the question were not referred to the Permanent Court of International Justice the Council might ask the Permanent Court for an advisory opinion on the understanding that the Council's freedom of decision would be in no way limited.

The Roumanian representative found this proposal equally unacceptable. Delay in finding a solution of the problem was a menace to peace, as it might arouse feeling in millions of Roumanian subjects.

The President of the Council, in a further attempt to procure agreement, submitted the following proposals:

"(1) The Council decides to postpone to its next session further discussion concerning the Hungarian request relating to the expropriation by Roumania of the immovable properties of Hungarian optants.

"(2) The Council invites the representative of Japan, as Rapporteur, to continue the examination of the question and to submit to the Council a general report on the subject before the next session of the Council.

"(3) The Council invites the Government of Hungary and the Government of Roumania to forward to the Rapporteur as soon as possible all documents and such further information as they may deem necessary in order to enable him to make his report and to give him at his request every necessary explanation.

"(4) The Council invites the Roumanian Government to abstain from any action and to suspend any steps of procedure which might prejudice the definitive solution of this matter."

The Roumanian representative said he could not agree that the question should seem to remain open. He could not, moreover, accept proposal 4, under which the Roumanian Government was invited to abstain from any action and to suspend any procedure which might prejudice a definitive solution of the matter.

The Hungarian representative accepted the proposals of the President but intimated that he would not be able to do so if paragraph 4 were deleted.

The Council finally adopted the following resolution:

- “The Council, having heard the discussion relative to this question, regrets that it sees no present prospect of agreement and is therefore unable to make any suggestion which would lead to its immediate solution.
“It accordingly remits the question for further consideration at the next session of the Council, expresses the hope that M. Adatci will continue to act as Rapporteur, and in the meantime trusts that the Governments of Hungary and Roumania will direct their best efforts towards the attainment of an agreed solution.”

The Japanese representative, M. Adatci, agreed to continue the duties of Rapporteur.

7.

ADMINISTRATIVE QUESTIONS.

I. ADVISORY COMMITTEE ON INTERNATIONAL ADMINISTRATION.

The Council decided on February 3rd, 1923, to examine a proposal to establish an Advisory Committee on International Administration. It was thought that the establishment of such a Committee, which might be composed of representatives of the Governments of the Members of the Council, would relieve the Council of a considerable amount of preliminary work of a detailed and technical character concerning Saar and Danzig questions and would assure a more intimate contact with the Governments of States Members of the Council and the Secretariat. The Council requested the Secretary-General to submit a scheme for the constitution of such a Committee.

The question was discussed by the Council during its April session, 1923. The Council decided to submit, for the consideration of its Members, certain observations on the subject made by the French and Polish Governments and to postpone the further discussion of this question to a subsequent session.

II. THE TERRITORY OF THE SAAR BASIN.

THE GOVERNING COMMISSION.

All the present members of the Governing Commission with the exception of one have served since the Commission was set up in February 1920 and have been reappointed for the third time. At its meeting of April 23rd, 1923, the Council accepted the resignation of Dr. HECTOR, the native Saar member of the Commission, and appointed M. LAND to fill this post until February 13th, 1924, the end of the present term of the other members of the Commission.

The members of the Commission, therefore, are:

M. V. RAULT (French), Chairman ;
M. LAMBERT (Belgian) ;
M. LAND (native Saar inhabitant) ;
Count MOLTKE-HUITFELDT (Dane) ;
Mr. R. D. WAUGH (Canadian).

The Governing Commission has made a periodical report (its thirteenth) for the period July-December 1922, containing detailed information on the political and economic situation in the Saar and on the administrative activity of the Commission. It was published in the *Official Journal* of the League, No. 1, Part II, January 1923.

The latest periodical report of the Governing Commission (its fourteenth), covering the period December 15th, 1922, to June 15th, 1923, was received as this report was going to press. It will also be published in the *Official Journal* and dealt with in the supplementary report to the Assembly on the work of the Council and of the Secretariat.

In addition to the periodical reports, the Governing Commission has sent in various special reports on particular subjects.

POLITICAL SITUATION.

The establishment of the *Advisory Council* in the Saar was referred to in the report on the work of the Council to the third Assembly.¹ In October 1922 the Governing Commission adopted the rules of procedure for that body, after examining the observations and recommendations put forward by the Advisory Council itself.

On about the same date the *Technical Committee* was constituted and its members appointed by the Governing Commission. The Committee was composed of a dean, the head of a public school, a banker, a notary, a farmer, an artisan, two workers and a manager of public works. They represent various parts of the Territory and different political groups. The Chairman is M. Kohler, notary and Deputy Mayor of Neunkirchen.

By December 16th, 1922, various members of the Advisory Council had sent to the Governing Commission, since the first meeting, sixty suggestions, motions, questions and "interpellations"². The Governing Commission has caused each of them to be examined, and several of the draft decrees prepared by the Commission are based, in varying degrees, on these texts. The adoption of these proposals as submitted would, however — as the Governing Commission points out — have meant an almost complete reconstruction of the fiscal, legislative and administrative systems in the Saar Basin; and the Commission, in view of the role given to the Advisory Council, felt that it could not grant to that body the right of initiative and "interpellation." It has therefore not replied to these numerous proposals.

ECONOMIC CONDITIONS.

The thirteenth periodical report of the Saar Basin Governing Commission (July–December 1922) deals at great length with the general situation in the Saar industries, with the effects of the fall in the value of the German mark, and with the measures taken by the Governing Commission to alleviate the serious consequences. It also deals with the problem of double currency, to which the Governing Commission has paid special attention. The statistics showing exports and imports from and to the Saar prove that the trade balance of the Territory has been favourable. For the first nine months of 1922, imports were valued at over 680,000,000 French francs and exports at over 1,100,000,000 French francs. The report further contains statistical data regarding the number of unemployed, the number of trucks loaded, the production of the coal, iron, glass and other industries, the number of cheap houses built, the banking deposits in marks and francs, the wages of workers and the cost of living with index numbers, the consumption of food, mortgages, etc. The report states that the figures relating to trade movements, unemployment, mining and iron production, food consumption, mortgages and commercial failures put the economic conditions of the Saar Basin during the period in question in a favourable light.

NEGOTIATIONS WITH FOREIGN GOVERNMENTS.

1. *Adhesion of the Saar to the Berne International Railway Convention.*

As stated in the supplementary report to the third Assembly, the Secretary-General sent all the correspondence with regard to the dispute on this subject between the Saar Governing Commission and the German Government to the Advisory and Technical Committee of the League on Communications and Transit. This Committee appointed a sub-committee on which the German Government and the Saar Governing Commission were represented, which met in November 1922 and unanimously approved a draft agreement. This agreement was subsequently ratified by both parties and came into force in January 1923. The Council took note of the settlement of this difficult problem and expressed satisfaction to those who contributed to this happy solution (see page 248).

2 *Other Negotiations.*

The Chairman of the Governing Commission has informed the Secretariat that the Governing Commission has been negotiating with the German Government regarding postal relations between Germany and the Saar, the application of the provisions of the Universal Postal Union to that Territory, and also concerning modifications of the protocol signed with Germany at Frankfurt in December 1921 with regard to social insurance. The Governing Commission, moreover,

¹ See "Records of Third Assembly, Plenary Meetings", Volume II, page 97.

² "Interpellation" is the right granted to a member of Parliament by the constitution, under parliamentary procedure, to ask a Minister for explanations on any given point. It is therefore implicit in the conception of ministerial responsibility. A request to make an interpellation must be submitted in writing and its subject mentioned. The President reads the interpellation to the assembly, which fixes the date of the debate in agreement with the Government. An interpellation differs from a "question" in that it must be approved by an "order of the day".

signed with the German Government on November 13th, 1922, in Frankfort a protocol concerning the position of war invalids in the Saar. Any further negotiations which may have taken place between the Governing Commission and foreign Governments, and any arrangements concluded, will be dealt with in the supplementary report to the Assembly.

SAAR QUESTIONS CONSIDERED BY THE COUNCIL.

1. *Reappointment of the Members of the Governing Commission.*

The Chairman and three other members of the Commission whose mandates expired on February 14th, 1923, were reappointed for another year at the Council session held in Paris, January/February 1923. The fifth member, whose appointment expired only in September 1923, resigned his office in April of this year and was replaced by M. Land (see page 215).

2. *The Presence of French Troops and the Development of Local Gendarmerie.*

This question was examined by the Council at its session January/February 1923. The German Government had presented a note renewing its request that the League should take steps with a view to the early withdrawal of the French troops from the Saar, the presence of which in the Territory was, it was contended, contrary to the provisions of the Treaty of Versailles and incompatible with the character of that Territory as a plebiscite area and with the administrative independence of the Saar. The Governing Commission replied to the arguments advanced by the German Government, setting forth the situation with regard to the local gendarmerie, and gave legal and practical reasons which, in the opinion of the entire Commission, made it indispensable that the troops which had been placed at its disposal free of charge should be maintained in the Saar. The Council, at its session January/February 1923, passed the following resolution:

"The Council reaffirms the resolution which it adopted at its meetings on February 13th, 1920, and June 20th, 1921, and requests the Governing Commission to adopt such measures as it thinks suitable for increasing the strength of the local gendarmerie. At its next session it will consider the programme drawn up by the Commission."

At its April session 1923 the Council took note of the programme then drawn up by the Commission providing for the recruiting and instruction of 200 new gendarmes during the financial year 1923-24. The number of local gendarmes would thus be increased from 155 to 355. The Council, moreover, invited the Governing Commission to submit, before the adoption of the 1924-25 budget, a programme for the further development of the local gendarmerie for that year. At the same meeting the Chairman of the Governing Commission informed the Council that he had been obliged to raise the number of the garrison troops from about 2,000 to nearly 4,000 in order to ensure the protection of the French mines during the miners' strike. On May 17th, 1923, the Chairman of the Governing Commission informed the Secretariat that the additional troops had been withdrawn, as the strike had been brought to an end.

3. *The Use of French Gendarmerie.*

In a note on this question the German Government maintained that the presence in the Saar Basin of the French gendarmerie was contrary to the Peace Treaty and that this gendarmerie had been used by the Governing Commission in a manner incompatible with the governing principles laid down for the administration of the Saar. The Council, at its session January-February 1923, in view of its decision concerning the local gendarmerie referred to in section (2) above, agreed that the French gendarmerie should be employed for the purpose of policing the French troops.

4. *The Exercise of Jurisdiction by the French Courts-martial.*

A note by the German Government contained a protest against a decree issued on June 28th, 1921, by the Governing Commission concerning the competence of courts-martial. In the opinion of the German Government, this decree was not consistent with the provisions of the Peace Treaty and the decisions of the Council with regard to this matter. In its reply, the Governing Commission pointed out, among other things, that since the issue of the decree in question not one civilian had been brought before the courts-martial. The Council, on February 1st, 1923, stated that it thought that "it is unnecessary to discuss the question of courts-martial, as, since the adoption of its resolution of June 20th, 1921, no case has arisen".

5. *The Protection abroad of the Interests of Saar Inhabitants.*

The German Government pointed out certain practical difficulties with regard to the existing arrangements made by the Governing Commission under which the protection abroad of the

interests of the Saar inhabitants was entrusted to the French Government. The Governing Commission expressed doubts as to the existence of these difficulties. The Council decided to forward the Governing Commission's note to the German Government, together with the Rapporteur's report to the Council on the subject.

6. *The Situation with regard to Public Instruction in the Territory.*

The German Government protested against the situation with regard to public instruction, which, in its opinion, was contrary to the Treaty of Versailles, which provides that under the control of the Governing Commission the inhabitants shall retain their schools. The Governing Commission, in its reply, dealt at length with the legal aspect and presented facts as to actual conditions with regard to the question. The Council, on April 23rd, 1923, decided to forward the reply from the Governing Commission to the German Government, together with the Rapporteur's report, which expressed the opinion that this reply should remove misunderstandings and doubts on the part of the German Government.

7. *Agreement with France concerning Double Taxation.*

With regard to this agreement, the German Government objected to the use of certain expressions which, in its opinion, gave the Saar Territory the appearance of a State. The Council, on April 23rd, 1923, held that these expressions could not affect or modify the status of the Territory or the position of the Governing Commission as laid down in the Treaty of Versailles.

8. *The Case of M. Frantzen.*

The German Government, as well as certain political parties represented on the Advisory Council of the Saar, protested because M. Frantzen, an official of the Governing Commission, was filling an important position in the expeditionary corps sent by the French and Belgian Governments to the Ruhr. The Governing Commission explained that M. Frantzen had been given leave and that he would not resume his post under the Governing Commission. The Council, therefore, on April 23rd, 1923, was of opinion that it was not necessary to examine the question further.

9. *Attitude of the Railway Staff in connection with the Occupation of the Ruhr.*

The Governing Commission has forwarded to the Council a copy of a telegram to the Saar Railway Administration sent from the German Ministry of Transport concerning the attitude to be observed by the Saar Railway staff in connection with the occupation of the Ruhr, and maintained that this constituted an interference in the administration of the Saar Basin. The German Government, in a reply, stated that this telegram had been sent to the Saar owing to a regrettable error. The Council, on April 23rd, 1923, took note of this correspondence.

10. *Commercial Relations with Occupied Germany.*

The Governing Commission, as well as the German Government, has also communicated to the Council certain correspondence concerning commercial relations between the Saar Basin and occupied Germany. This question relates to the situation created by the recent decisions of the Inter-Allied Rhineland Commission with regard to the Customs regime in the occupied territory and to the measures taken as a result of these decisions by the Saar Governing Commission and the German Government. The Council, on April 23rd, 1923, expressed the hope that the direct negotiations which are in progress on this subject will settle the questions still outstanding.

II. *Decree of the Governing Commission of March 7th, 1923.*

During the April session of the Council, the Swedish Member of the Council raised, on April 23rd, 1923, the question of a decree issued by the Governing Commission on March 7th, 1923, concerning the maintenance of order and public security in the Saar Territory, a copy of which had been sent by the Governing Commission for the information of the Council.

The Chairman of the Governing Commission, who was present at that meeting, gave a detailed explanation of the scope of the decree, of its provisional nature, and of the urgent reasons for issuing it. The reasons which led the Governing Commission to issue the decree were the prolongation of the miners' strike which had broken out, the Press campaign which attacked the conditions established in the Saar under the Peace Treaty, the activities of secret societies and danger of disturbances. The Chairman of the Governing Commission, moreover, pointed out that after its promulgation the issuing of the decree had been approved in principle by the Technical Committee, that it was to be submitted to the Advisory Council, and that its legality had been recognised by the Saar Administrative Court.

The British representative on the Council joined with M. Branting in expressing the hope that the Commission would soon be able to end the strike and withdraw the decree.

The Chairman of the Governing Commission declared that the withdrawal of the decree depended on the disappearance of the circumstances that had made it necessary and assured the Council that the decree would be applied in a spirit of moderation.

12. *The Saar Plebiscite.*

As stated in the report to the third Assembly¹, the Council has taken certain steps in connection with the Saar plebiscite to be held in 1935. In September 1922 the Council appointed M. Alfred Bonzon (Swiss) to be Provisional Records Commissioner for the plebiscite, to hold office for a period not to exceed one year. The expenses of this post are borne by the Saar Territory. M. Bonzon was instructed by the Council to prepare a draft decree specifying the list of documents to be given protection by the League and the means to be taken to give them this protection. The Council, in April 1923, approved this draft decree with certain modifications. The draft decree enumerates the documents to be specially safeguarded by the League. It explains the measures to be taken for preserving these documents, the rules to be observed by the authorities and persons responsible for them, the places where they are to be preserved, the methods to be followed in order to avoid danger of destruction or deterioration, and the penalties to be inflicted in case of destruction or damage through bad faith or neglect.

The Council instructed the Secretary-General to communicate the draft decree to the Chairman of the Governing Commission with a request that it should be made valid in the Saar Territory as soon as possible. The Provisional Records Commissioner was instructed to attend personally to the execution of the provisions of the draft decree and to submit a final report to the Council. The Chairman of the Governing Commission informed the Secretary-General that the decree had been promulgated on May 9th, 1923.

PETITIONS FROM DIFFERENT ELEMENTS OF THE SAAR POPULATION.

Certain of the political parties and other groups of the Territory have forwarded, through the Chairman of the Governing Commission, petitions with regard to the situation of the Press in the Saar, the sequestration of property of the Saar inhabitants, the situation of the farmers in the Territory, the presence of French troops, the Provisional Decree for the Maintenance of Order and Public Security, the appointment of the members of the Governing Commission, with special reference to the Saar Member, and on other matters. A request that elected representatives of the Saar population should be heard at the Council meetings has also been received from the representatives of the political parties. All these documents have been communicated to the Council and the Members of the League of Nations for their information.

III. FREE CITY OF DANZIG.

Detailed information with regard to Danzig questions dealt with by the Council and the Secretariat during and since the third Assembly is contained in the two general reports which the Secretary-General has submitted to the Council on this subject, and covering the periods May to September 1922 and September 1922 to February 1923. These reports have been communicated to the Members of the League and published in the *Official Journal*.

It will be seen that the Danzig questions dealt with in these reports relate to a great extent to differences between Danzig and Poland arising out of interpretations of the Treaty of Versailles and the Danzig-Polish Treaty of November 9th, 1920, as well as of treaties and agreements concluded thereunder. Besides considering such differences, the Council has also had to deal with the financial position of the Free City and with arrangements for the upkeep of the post of the High Commissioner of the League of Nations in Danzig.

POST OF THE HIGH COMMISSIONER.

With regard to the post of High Commissioner of the League of Nations in Danzig, it will be remembered that the Council appointed General Sir Richard Haking in December 1920. In accordance with his own request, his term of office was fixed for one year. At the expiration of that time, however, he accepted reappointment for a further year. Last winter, General Haking was appointed by the British Government Commander-in-Chief of the British forces in Egypt. The Council expressed, at its session in February 1923, its warm thanks to General Haking for the services he had rendered to the League of Nations and congratulated him on the very able and impartial manner in which he had fulfilled his duties in Danzig. The Council at the same time appointed Mr. M. S. MacDonnell, Governor of the Western Province of Egypt since 1919, as General Haking's successor. The Council made specific provisions with regard to his term of office and the financial arrangements concerning his post and fixed his salary at 60,000 gold francs per annum. The Polish and Danzig Governments, in accordance with previous arrangements, contribute each one-half towards the upkeep of the post.

¹ See "Records of Third Assembly, Plenary Meetings," Volume II, page 45.

FINANCIAL SITUATION.

This question was referred by the Council to the Financial Committee of the League, and a full report on the subject will be found under the heading dealing with the work of that Committee.

DISPUTES BETWEEN POLAND AND THE FREE CITY.

The report to the third Assembly¹ mentioned that the League's High Commissioner in Danzig and the Council had been concerned in adjusting certain differences between the Polish and Danzig Governments which were not settled by the Treaty of Versailles and the Danzig-Polish Treaty of November 9th, 1920, and that, furthermore, the two Governments had been able to arrive at an understanding directly between themselves on many unsettled points. This general remark applies also to the period which has gone by since the report to the third Assembly was written. Indeed, the main task of the League, as far as Danzig questions are concerned, since the laying down of the foundation for the status of the Free City, has consisted in assisting the Free City and the Polish Government in the working-out of a great many questions of detail, on subjects either not specially foreseen in the acts constituting the Free City or deferred by these acts for further discussion and settlement. Formally, most of the Danzig questions before the Council have had the character of disputes between Poland and the Free City, but it should be understood that the great number of such disputes is due to a practical desire to obtain a closer definition of many of the Treaty stipulations. In other words, the settlement of a great many of the Danzig-Polish differences is of a constructive character, aiming at the laying-down of the foundation of stable conditions in the future. A considerable number of questions of greater or minor importance are still under consideration by the High Commissioner. Some have recently formed the subject of new decisions by him, and in some cases these decisions have been submitted to the Council at the request of one or both parties. The agenda of the next Council session, which will take place at the end of June, includes certain questions of this character and it is to be foreseen that other questions may come up before the Council at its last session before the Assembly meets. A general survey of these questions for the whole period since the report to the third Assembly and up to the fourth Assembly will be prepared and issued as a supplement to the present report. This will enable the delegates to the Assembly to have a more complete general view of the position than it would be possible to gain from a summary covering only the period from September 1922 until the end of April this year.

The following list, covering the period since the beginning of the third Assembly, will show the general character of these questions:

1. *Legal status of Polish Government property, officials and ships at Danzig*². Certain questions regarding the interpretation of previous arrangements on this subject have come before the High Commissioner, who gave decisions on May 22nd and 23rd, 1923.
2. *Control and administration of the Vistula within the territory of the Free City*³. The Council, at its session in February 1923, confirmed the decision of the High Commissioner.
3. *Expulsion of Polish nationals from Danzig*³. As the result of negotiations between the Polish and Danzig Governments, an agreement was signed on August 17th, 1922, setting forth in detail the procedure to be followed in case of the expulsion of Polish nationals from Danzig.
4. *The site of a depot for Polish war material, including explosives, in transit through Danzig*³. On September 1st, 1922, the Council confirmed the High Commissioner's decision. A detailed report on the discussions of the Council will be found in the Council Minutes⁴.
5. *Establishment of a Polish Post, Telegraph and Telephone Service at Danzig*. Decision of the High Commissioner of May 25th, 1922, and interpretative statement by him of August 30th, 1922.
6. *Interpretation of Article 7 of the Danzig-Polish Treaty of November 9th, 1920, relating to Foreign Loans by Danzig*. Decision by the High Commissioner of August 22nd, 1922.
7. *Competence of the Polish Diplomatic Representative at Danzig, including the right of the Polish Government to welcome foreign fleets officially at Danzig*. Decision by the High Commissioner of August 23rd, 1922, and agreement between the Polish and Danzig Governments concluded at Paris on January 29th, 1923.
8. *Representation of the Free City at International Conferences*. Decision of the High Commissioner of August 24th, 1922, and agreement between the Polish and Danzig Governments concluded at Paris on January 27th, 1923.
9. *Principles to be applied in the leasing of property by the Danzig Harbour Board*. Decision of the High Commissioner of October 27th, 1922, and agreement between the Polish and Danzig Governments concluded at Geneva on April 16th, 1923.

¹ See "Records of Third Assembly, Plenary Meetings," Volume II, page 45.

² See "Records of Third Assembly, Plenary Meetings," Volume II, page 46.

³ See "Records of Third Assembly, Plenary Meetings," Volume II, page 47.

⁴ See *Official Journal*, November 1922 (Part II), page 1167.

10. *Principles to be applied with regard to the conclusion of treaties affecting the interests of the Free City, and the case of the Danzig-Memel Agreement concerning Merchant Seamen.* Decision of the High Commissioner of November 3rd, 1922. Appeal by Danzig. The consideration of the matter was postponed by agreement between the parties.

11. *Method to be followed by Danzig in conducting correspondence concerning her foreign relations.* Decision of the High Commissioner of November 28th, 1922, and declaration by the Polish Diplomatic Representative dated Paris, February 1st, 1923.

12. *Official languages to be used by the Danzig Harbour Board.* Decision of the High Commissioner of December 5th, 1922, and agreement between the Polish and Danzig Governments concluded at Geneva on April 17th, 1923.

13. *Establishment by Poland of a railway direction in Danzig.* Decision of the High Commissioner of December 12th, 1922. Considered by the Council on April 20th, 1923, and postponed to its next session.

14. *Claim by Poland against Danzig for demurrage in the case of the unloading of a munitions ship.* Decision of the High Commissioner of December 20th, 1922. Appeal by Poland, but withdrawn from the agenda of the Council by agreement between the parties.

15. *Establishment of a letter-sorting office by the Polish postal services in the main railway station at Danzig.* Decision of the High Commissioner of December 23rd, 1922, and agreement between the Polish and Danzig Governments concluded at Geneva on April 18th, 1923.

16. *Establishment of a Polish official travelling agency in the main railway station at Danzig.* Decision of the High Commissioner of December 31st, 1922.

17. *Finances of the Danzig Harbour Board.* Decision of the High Commissioner of April 29th, 1923. Appeal by the Polish Government.

18. *Visum fee for Danzig citizens leaving Polish territory by another route than that which crosses the Polish-Danzig frontier.* Decision by the High Commissioner of May 1st, 1923. Appeal by the Danzig Government.

19. *The right of the Danzig Harbour Board to contract loans.* Decision of the High Commissioner of May 24th, 1923. Appeal by the Polish Government.

20. *The Danzig Harbour Police.* Decision of the High Commissioner of June 6th, 1923. Appeal by the Polish Government.

This list does not give an exhaustive enumeration of all the questions which have been dealt with between the Polish and Danzig Governments. Certain questions have been settled, after discussion between the two Governments, by direct agreement.

Besides communicating to the Secretariat all his formal decisions on questions of difference between the Polish and Danzig Governments, the High Commissioner, in virtue of the general interest of the League in protecting the Free City, has also kept the Secretariat informed of a number of particular questions, such as the participation of Danzig in certain treaties and conventions, the organisation and activities of the Danzig Harbour Board, the treatment of Polish nationals in Danzig, the manufacture, sale, storage and transit of war material, the interpretation and execution of certain treaty stipulations of importance to the future relations between Danzig and Poland, etc.

One of the members of the Secretariat paid a visit to Danzig during last winter for the purpose of acquainting himself with the conditions on the spot, and quite recently the Secretary-General, accompanied by the Director of the Political Section, also visited the Free City.

The President of the Senate of the Free City of Danzig and the Polish Diplomatic Representative in Danzig, assisted by technical experts, were present at the different sessions of the Council when Danzig questions were discussed. Besides the Diplomatic Representative of Poland in Danzig, Poland was also represented by her permanent Delegate to the League of Nations. The High Commissioner of the League of Nations in Danzig was also present at the Council sessions.

8.

PROTECTION OF MINORITIES.

I. RESOLUTIONS OF THE THIRD ASSEMBLY.

At its meeting held on September 21st, 1922, a report by the Sixth Committee on the protection of minorities was presented to the Assembly, which adopted the following resolutions:

(1) "While in cases of grave infraction of the Minorities Treaties it is necessary that the Council should retain its full power of direct action, the Committee recognises that in ordinary circumstances the League can best promote good relations between the various signatory Governments of Minorities Treaties and persons belonging to racial, religious or linguistic minorities placed under their sovereignty by benevolent and informal communications with those Governments. For this purpose, the Committee suggests that the Council might require to have a larger secretarial staff at its disposal."

(2) "In cases of difference of opinion as to questions of law or fact arising out of the provisions of the Minorities Treaties between the Government concerned and one of the States Members of the Council of the League of Nations, the Committee recommends that the Members of the Council appeal without unnecessary delay to the Permanent Court of International Justice for a decision in accordance with the Minorities Treaties, it being understood that the other methods of conciliation provided for by the Covenant may always be employed."

(3) "While the Committee recognises the primary right of the minorities to be protected by the League from oppression, it also emphasises the duty incumbent upon persons belonging to racial, religious or linguistic minorities to co-operate as loyal fellow-citizens with the nations to which they now belong."

(4) "The Committee expresses the hope that the States which are not bound by any legal obligations to the League with respect to minorities will nevertheless observe in the treatment of their own racial, religious or linguistic minorities at least as high a standard of justice and toleration as is required by any of the Treaties and by the regular action of the Council."

(5) "The Secretariat, which has the duty of collecting information concerning the manner in which the Minorities Treaties are carried out, should not only assist the Council in the study of complaints concerning infractions of these Treaties but should also assist the Council in ascertaining in what manner the persons belonging to racial, linguistic or religious minorities fulfil their duties towards their States. The information thus collected might be placed at the disposal of the States Members of the League of Nations if they so desire."

In execution of these resolutions, two new members were added to the staff of the Minorities Section of the Secretariat, and the appointment of two other members is contemplated in the course of the present year. The Section has undertaken investigations regarding the problem of minorities in various countries, and certain members of the Section have been to several of the countries concerned in order to get into touch unofficially with the Governments.

II. BALTIC STATES.

On December 15th, 1920, the first Assembly of the League of Nations adopted the following recommendation:

"In the event of Albania and the Baltic and Caucasian States being admitted into the League, the Assembly requests that they should take the necessary measures to enforce the principles of the Minorities Treaties and that they should arrange with the Council the details required to carry this object into effect."

The report to the third Assembly on the work of the Council¹ contained an account of the manner in which this recommendation was carried out in the cases of Finland and Albania. Moreover, mention was made of the declaration signed by the representatives of Esthonia, Latvia and Lithuania before those States were admitted to the League of Nations; under the terms of this declaration the Governments of these countries accepted the recommendation of December 15th, 1920, and expressed their willingness to discuss with the Council the scope and methods of application of their international obligations for the protection of minorities. On May 12th, 1922, the Lithuanian representative signed a declaration containing terms similar to those of the Polish Minorities Treaty. Negotiations are continuing as regards the protection of minorities in Esthonia and Latvia. A number of documents on this subject have been published in the *Official Journal* of the League of Nations. These questions will again be dealt with by the Council at its meetings before the opening of the Assembly, and the negotiations will be dealt with in the supplementary report to the Assembly.

III. ALBANIA.

On October 2nd, 1921, the Albanian representative signed, in the presence of the Council of the League of Nations, a declaration in execution of the Assembly's recommendation of

¹ See "Records of Third Assembly, Plenary Meetings", Volume II, page 50.

December 15th, 1920, regarding the protection of minorities in Albania. Article 5, paragraph 2, of this declaration lays down that:

“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 legal 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.”

This question has been considered by the Council on several occasions. As early as May 11th, 1922, the Albanian representative stated to the Council that the minorities question would form the subject of two categories of laws. The general principles would form an integral part of the Constitution. A scheme had been drawn up by a sub-committee composed of members of the Albanian Parliament, to which body it was shortly to be submitted. The development of these principles, and the provisions regarding religious communities, were to be embodied in another law. At its meeting held on September 1st, 1922, the Council instructed the Secretary-General to collect and submit to it in due course further information concerning the legislative measures to be taken with regard to the legal status of the religious communities, churches, convents, schools and voluntary establishments of the racial, religious and linguistic minorities in Albania.

IV. GERMAN MINORITIES IN POLAND.

In the Report to the Third Assembly on the Work of the Council¹, mention is made of the report submitted to the Council on May 17th, 1922, by the representatives of Belgium, Italy and Japan regarding certain questions connected with the position of the German minority in Poland, which were raised in petitions addressed to the League of Nations by the Germanic League (“*Deutschtumsbund*”) in Poland. The questions dealt with in this report to the Council are as follows:

1. The question of the farmers of German origin:
 - (a) The application of the agrarian law;
 - (b) The tenants of the State domains;
 - (c) The colonists established by the Prussian Colonisation Commission (*Ansiedlungskommission*).
2. General questions with regard to the rights of minorities:
Questions concerning churches and schools, civil and political rights of persons belonging to the minority.
3. Interpretation of certain provisions in the Minorities Treaty regarding the acquisition of Polish nationality.

The Council, having taken note of this report and having heard the legal explanations submitted by M. Askenazy, the Polish representative, decided to ask the Polish Government to communicate to the Council, at the earliest possible date, detailed information upon the questions of fact as well as upon the questions of law referred to in the report.

The Council also requested the Polish representative to consider, in conjunction with the Secretary-General, the various questions of law raised in the report, in order to enable the Council to decide whether, and, if so, on what questions, the Permanent Court of International Justice should be asked to give an opinion.

The Council earnestly requested the Polish Government to postpone, until the Council had had an opportunity of taking a decision upon the matter, any administrative or judicial measures likely to affect the normal position of persons of German origin engaged in agricultural work who are Polish subjects or whose status as Polish subjects is dependent upon the decision taken with regard to the questions of interpretation raised in the report.

In pursuance of this decision of the Council, negotiations were at once begun between the Polish representative and the Secretariat of the League of Nations. Provisional information on certain questions raised in the report of May 17th, 1922, was placed at the disposal of the Secretariat by the Polish representative as early as June 1922. On July 3rd, 1922, the Minister for Foreign Affairs informed the Council that the Polish Government had decided to postpone until the end of the next ordinary session of the Council the expulsion from their holdings of those colonists of Polish nationality who had concluded a contract of purchase or sale with the former colonisation Commission before the date of the Armistice and who, up to that date, had not obtained the *Auflassung* (entry in the land register); and also of those colonists of Polish nationality who, on the date of the Armistice, were in occupation of the “colonies” by virtue of a rent contract and whose lease would not yet have expired if subsequently purchase of that “colony” from

¹ See “Records of Third Assembly, Plenary Meetings”, Volume II, page 53.

the former Colonisation Commission had not taken place, a purchase which the Polish Government considered as illegal.

On July 5th and August 30th, 1922, the Polish representative submitted to the Secretary-General memoranda containing information regarding the questions of law and of fact referred to in the Council resolution of May 17th and setting forth the legal grounds on which the Polish Government's attitude in the matter was based. On September 9th, 1922, the Brazilian representative submitted to the Council a report conveying the information furnished by the Polish Government. The Council took note of this report and thanked the Polish Government for its valuable assistance towards a settlement of this question. The Council then decided, with the consent of the Polish representative, to summon a Committee of Jurists to study certain legal questions concerning the contracts of the German colonists established by the former German Colonisation Commission, as well as the question of the interpretation of Article 4 of the Polish Minorities Treaty of June 28th, 1919, regarding the acquisition of Polish nationality. On September 30th, 1922, the Brazilian representative submitted a further report containing the opinion of the Committee of Jurists, which was composed of the legal advisers of the representatives of Spain, France and Great Britain, together with the Director of the Legal Section of the Secretariat. The Council took note of this report and requested the representative of the Polish Government to bring it to the notice of his Government at the earliest possible moment.

In a note dated December 7th, 1922, the Polish Government stated that the cases put by the jurists did not bear upon the questions of minorities in Poland. The Polish Government considered that the jurists' opinion in no way invalidated any of the legal arguments adduced by the Polish representative. The Polish Government was not in a position to grant title-deeds of property to persons who, in pursuance of an anti-Polish policy, had established themselves on sites belonging to the Polish State in virtue of contracts concluded with the German authorities. A further respite for these colonists was out of the question. As regards the interpretation of Article 4 of the Treaty of June 28th, 1919, the Polish Government was of opinion that Article 4 was not one of those which were placed under the guarantee of the League of Nations. Further, the interpretation of this article was the subject of negotiations between the delegations of the German and Polish Governments at Dresden, and, in those circumstances, the Polish Government thought that the question should be removed from those dealt with in the opinion given by the jurists.

On February 3rd, 1923, the Council adopted the following resolution:

"THE COUNCIL OF THE LEAGUE OF NATIONS,

"Having been apprised of certain questions regarding the following facts:

"(a) A number of colonists who were formerly German nationals, and who are now domiciled in Polish territory previously belonging to Germany have acquired Polish nationality, particularly in virtue of Article 91 of the Treaty of Versailles. They are occupying their holdings under contracts (*Rentengutsverträge*) which, although concluded with the German Colonisation Commission prior to the Armistice of November 11th, 1918, did not receive an *Auflassung* before that date. The Polish Government regards itself as the legitimate owner of these holdings under Article 256 of the Treaty of Versailles and considers itself entitled to cancel the above contracts. In consequence, the Polish authorities have taken certain measures in regard to these colonists, by which the latter will be expelled from the holdings which they occupy;

"(b) The Polish authorities will not recognise leases conceded before November 11th, 1918, by the German Government to German nationals who have now become Polish subjects. These are leases over German State properties which have subsequently been transferred to the Polish State in virtue of the Treaty of Versailles, in particular, of Article 256:

"REQUESTS THE PERMANENT COURT OF INTERNATIONAL JUSTICE TO GIVE AN ADVISORY OPINION ON THE FOLLOWING QUESTIONS:

"(1) Do the points referred to in (a) and (b) above involve international obligations of the kind contemplated by the Treaty between the United States of America, the British Empire, France, Italy, Japan and Poland signed at Versailles on June 28th, 1919, and do these points come within the competence of the League of Nations as defined in that Treaty?

"(2) Should the first question be answered in the affirmative, the Council requests the Court to give an advisory opinion on the question whether the position adopted by the Polish Government and referred to in (a) and (b) above is in conformity with its international obligations.

"The Secretary-General is authorised to submit these requests to the Court together with all the relevant documents, to explain to the Court the action taken by the Council in this matter, to give all assistance necessary in the examination of the question, and, if required, to take steps to be represented before the Court."

In a letter dated March 22nd, 1923, the Polish Government expressed a desire that the sense and bearing of paragraph (b) of this resolution should be confirmed in order that the resolution might be expressed with the absolute clearness prescribed by Article 72 of the Rules of the Court.

What was required was a statement that paragraph (b) refers exclusively to the case of a special category of colonist farmers: namely, those who occupy holdings in virtue of leases contracted before the Armistice, and still unexpired and who subsequently obtained after the Armistice amortisation contracts (*Rentengutsverträge*) for those holdings.

As this was clearly the intention of the Council when it took its decision on February 3rd, 1923, the Council, at its meeting held on April 18th, 1923, accepted the conclusions of the Polish Government and decided to inform the Court accordingly.

V. JEWISH MINORITIES IN HUNGARY.

In the report on the work of the Council submitted to the third Assembly¹ mention was made of a petition addressed to the League of Nations by the "Joint Foreign Committee of the Jewish Board of Deputies and the Anglo-Jewish Association" and the "Alliance israélite universelle" with regard to the position of the Jews in Hungary. This petition is concerned with the application of the Hungarian Law XXV of 1920 (*Numerus Clausus*) as far as it affects the admission of Jews to the Hungarian universities and other higher educational institutions. On September 30th, 1922, the representatives of Belgium, Spain and China brought this question before the Council. In their report submitted to the Council on this occasion, the above-mentioned members expressed the opinion that information ought primarily to be obtained as to the manner in which the law was applied and whether in practice the rights of minorities were disregarded. In these circumstances the Council requested the Hungarian Government to be good enough to supply the necessary information in order that it might be in a position to follow closely for a certain time the application of Law XXV of 1920. Count Bánffy, Hungarian Minister for Foreign Affairs, who was present at the Council meeting, stated that the Hungarian Government would furnish the Council with all necessary information as to the application of the law. On January 24th, 1923, the Director of the Hungarian Office accredited to the League of Nations communicated to the Secretariat a statistical return of the students registered at the universities and faculties of law in Hungary and the proportion of Jews among them².

Though the Jewish population of Hungary is only 6 per cent. of the total population, these statistics show that 7.6 per cent. of the students registered at the Royal University of Budapest for the first half-year of 1920-21 were Jews, and for the second half-year the proportion was 7.9 per cent.; at the University of Szeged the corresponding figures were 26.1 per cent. for the first half-year of 1920-21 and 33.3 per cent. for the second; at the University of Pecs, 47.2 per cent. and 57.2 per cent.; at the University of Debreczen, 4.9 per cent. and 7 per cent.; at the Budapest College of Technical Science, 7.8 per cent. for the two half-years; at the Faculty of Economic Sciences in the University of Budapest, 3.5 per cent. and 4 per cent.

9.

DUTIES INCUMBENT ON THE LEAGUE OF NATIONS BY VIRTUE OF ARTICLE 22 (MANDATES).

I. ACTION TAKEN BY THE COUNCIL DURING THE THIRD ASSEMBLY.

Immediately preceding the opening of the third Assembly the Council considered the report of the Permanent Mandates Commission on the work accomplished during its second session in August 1922. A summary of the principles and recommendations contained in the report of the Commission was published in the supplementary report to the third Assembly on the work of the Council³.

The Council, on September 4th, 1922, adopted the following resolutions:

"The Council of the League of Nations,

"Having examined the report of the Permanent Mandates Commission on the work accomplished during its second session and the documents annexed thereto:

"(1) Desires to thank the Permanent Mandates Commission for the great zeal and admirable impartiality which it has displayed;

¹ See "Records of Third Assembly, Plenary Meetings", Volume II, page 54.

² See *Official Journal*, February 1923, page 161.

³ See "Records of Third Assembly, Plenary Meetings", Volume II, page 100.

"(2) Instructs the President of the Council to transmit to the mandatory Powers, on its behalf, the recommendations expressed in the report and in the annexed documents with the request that they will be good enough to carry out these recommendations;

"(3) Instructs the President of the Council to transmit, for the information of the Belgian and British Governments, the observations of the Commission with reference to the situation on the frontier of Ruanda, under Belgian mandate, and of British Tanganyika."

Three subjects of importance relating to the mandates were considered by the Council during its subsequent session. First, there was the question of the national status of inhabitants of B and C mandated territories. Secondly, there was the procedure to be adopted in respect of petitions received by the League concerning the inhabitants of these territories. Thirdly, there were details to be settled relating to the mandate for Palestine.

II. NATIONAL STATUS OF THE INHABITANTS OF B AND C MANDATED TERRITORIES.

The Permanent Mandates Commission studied the question of national status during its session in August 1922, and in September it submitted proposals to the Council. The Council decided to defer its final decision with regard to these proposals and meanwhile to forward to the Members of the League the resolutions and documents presented by the Commission, drawing the special attention of the mandatory Powers to the subject and informing them that it would discuss the proposals of the Commission at a subsequent session.

The Council resumed its discussion of the problem during its twenty-fourth session, held in April 1923. During these discussions the mandatory Powers not represented on the Council were invited to send representatives to sit as members in accordance with paragraph 5 of Article 4 of the Covenant. The Governments of New Zealand and South Africa were represented by their High Commissioners in London, Sir James Allen and Sir Edgar Walton respectively. The Government of Australia requested the British representative, Mr. Edward Wood, to speak on behalf of the Commonwealth.

The President of the Council also invited the Marquis Theodoli, the Chairman of the Mandates Commission, to attend the meetings.

The Council, on April 20th, 1923, considered a report of the Swedish representative, which recommended the adoption of the following proposals formulated by the Mandates Commission:

"I. It is important, in order that the principles laid down in Article 22 of the Covenant may be respected, and subject to the provision in paragraph III, below, that the native inhabitants of B and C mandated territories should be granted a national status wholly distinct from that of the nationals of the mandatory Power.

"II. A special law of the mandatory Power should determine the status of these native inhabitants, who might be given a designation such as 'administered persons under mandate', or 'protected persons under mandate' of the mandatory Power.

"III. It is open to mandatory Powers to whom B and C mandated territories have been entrusted, to make arrangements in conformity with their own laws for the individual and purely voluntary acquisition of their nationality by inhabitants of these territories."

Various amendments were submitted by the British representative, and, during the discussions which followed, the representative of the Union of South Africa submitted for the consideration of the Council a problem which, in the opinion of his Government, could not be solved either by the proposals of the Mandates Commission or by the amendments suggested by the British representative.

The problem with which the South African Government was confronted was largely due to the action which it had taken on assuming the mandate. The South African Government had been entitled to deport all its German subjects, but it had taken the view that it would be more humane to allow them to stay in their homes. Only those who had been engaged in hostilities and the German officials were deported. The South African Government now desired to introduce self-government and to admit the German settlers to share in that self-government at the earliest possible moment.

Under the proposals of the Mandates Commission it would be necessary for the German settlers to apply to the South African Government individually in order to obtain South African nationality. It would be very difficult to settle the question by means of such procedure, and the South African Government desired to effect its object by means of a general law, naturalising the German settlers *en bloc*, on the understanding that anyone who desired to remain in the country as an alien resident should be allowed to do so. The South African Government was convinced that South-West Africa must possess a uniform nationality if the inhabitants of the mandated territory were to be governed satisfactorily, and that only under the conditions which were embodied in its proposal would it be able to perform the task entrusted to it by the League of Nations. The suggested procedure would only apply to the white population and not to the native inhabitants. The South African representative submitted that there was no real difference in principle between granting nationalisation to individuals at their individual request and naturalising the

inhabitants of a territory *en bloc*, while at the same time allowing them individually to decline that nationalisation if they so desired.

The Chairman of the Mandates Commission believed that, if the proposal of the South African Government were adopted, it would be equivalent to countenancing an act of annexation, inadmissible in connection with a territory under mandate. He contended that the nationalisation *en bloc* of certain inhabitants of a mandated territory was contrary to the principles of Article 22 of the Covenant. A similar opinion was expressed by the Japanese representative of the Council. Article 22 of the Covenant had established the principle that because certain peoples were not so advanced in civilisation as others, the mandatory Powers should be called upon to assume a temporary responsibility regarding them. This, in the view of the Japanese representative, meant that at some future date, more or less distant, these peoples might become independent and enjoy full political freedom. The proposal of the South African representative was not in accordance with the spirit of the Covenant.

The Council came to a decision at a further meeting held on April 23rd. The following resolutions were adopted, the Japanese representative abstaining from the vote:

“The Council of the League of Nations,

“Having considered the report of the Permanent Mandates Commission on the national status of the inhabitants of territories under B and C mandates,

“In accordance with the principles laid down in Article 22 of the Covenant:

“Resolves as follows:

“(1) The status of the native inhabitants of a mandated territory is distinct from that of the nationals of the mandatory Power and cannot be identified therewith by any process having general application.

“(2) The native inhabitants of a mandated territory are not invested with the nationality of the mandatory Power by reason of the protection extended to them.

“(3) It is not inconsistent with (1) and (2) above that individual inhabitants of the territory should voluntarily obtain naturalisation from the mandatory Power in accordance with arrangements which it is open to such Power to make with this object under its own law.

“(4) It is desirable that native inhabitants who receive the protection of the mandatory Power should in each case be designated by some form of descriptive title which will specify their status under the mandate.”

The Council also adopted the following resolution, which was intended to give satisfaction in the fullest measure possible to the request of the South African Government:

“The Council of the League of Nations, taking into consideration the special case presented to it and the fact that only the inhabitants of South-West Africa alluded to in Article 122 of the Treaty of Versailles are concerned, takes note of the declaration¹ made by the representative of South Africa and sees no objection to the proposed action.”

The Japanese and Swedish representatives both abstained from voting on this resolution. The Swedish representative said he could not associate himself with the opinion which had been expressed in the Council that the mandatory system only applied to the native population and regretted that he was unable for the moment to give a definite opinion on behalf of his Government on the question whether the scheme of the South African Government raised difficulties from the point of view of principle. The Japanese representative associated himself in principle with this declaration. He personally agreed with the report of the Permanent Mandates Commission but he recognised that South Africa was in a special position. As he had not been able to obtain instructions from his Government on the point at issue, he felt unable to vote on the resolution.

The Council, in adopting the resolution, associated itself with the position taken by the Italian representative who, while agreeing generally with the view of the Swedish representative, did not

¹ The declaration made by the South African representative reads as follows:

The representative of South Africa ventures to bring before the Council the special practical conditions which present themselves in South-West Africa.

The Government of South Africa has not utilised the right conferred upon it by Article 122 of the Treaty of Versailles and has not repatriated the German nationals resident in the territory entrusted to it under the mandatory regime.

The South African Government is anxious to enable the persons in question to take part in the public life of the territory and is convinced that this object can only be obtained in practice by conferring on them the status of British subjects, each individual having, however, the free and unfettered right to decline to accept such status.

The South African Government considers that the proposed action would be in no way adverse to the interests of the indigenous population which, in accordance with Article 22 of the Covenant, it is the special duty of the Council to safeguard.

The South African Government, which exercises in the territory the authority derived from the approval of its mandate by the Council, is accordingly desirous of conferring British nationality on the inhabitants of South-West Africa possessing German nationality, provided that:

(a) Every such inhabitant shall have the right to decline British nationality by a declaration made in such conditions as may be prescribed.

(b) Any person exercising this right shall nevertheless be entitled to remain in the territory and shall not be disturbed or molested on any pretext whatsoever in consequence of the exercise of such right.

The South African Government would be glad to be informed whether the Council sees any objection to the proposed action.

consider that the Council's vote should be regarded as prejudicing the general question whether the mandatory system applied only to natives or inhabitants of another origin.

• III. PETITIONS RECEIVED BY THE LEAGUE CONCERNING THE INHABITANTS
OF MANDATED TERRITORIES.

This question was brought to the notice of the Council in a memorandum submitted by the British Government.

The Council, on September 2nd, 1922, decided to postpone consideration of the matter to a later session — a decision which was embodied in the following resolution:

- "That the British Government's memorandum be forwarded to the Permanent Mandates Commission, and that the Secretariat at the same time provide it with a summary of the procedure followed by the Council with respect to petitions from minorities or petitions from the inhabitants of the Saar Basin.

"That the Permanent Mandates Commission be requested to communicate to the Council its views on the subject not later than the end of the current year."

The Chairman of the Mandates Commission, wishing to avoid the expense of summoning an extraordinary session of the Commission, decided to consult his colleagues by correspondence. He was able, on January 29th, 1923, to submit a report to the Council which had been accepted by the majority of his colleagues. The report contained five proposals regulating the procedure to be followed in the matter of petitions, together with certain amendments suggested by two members of the Commission.

These proposals were adopted by the Council on January 31st in the following form:

"(1) All petitions to the League of Nations by communities or sections of the populations of mandated areas should be sent to the Secretariat of the League of Nations through the mandatory Government concerned; the latter should attach to these petitions such comments as it might think desirable.

"(2) Any petition from the inhabitants (of mandated areas) received by the Secretariat of the League of Nations through any channel other than the mandatory Government concerned should be returned to the signatories with the request that they should re-submit the petition in accordance with the procedure prescribed above.

"(3) Any petition regarding the inhabitants of mandated territories received by the League from any source other than that of the inhabitants themselves should be communicated to the Chairman of the Permanent Mandates Commission. The latter should decide which, if any — by reason of the nature of their contents or the authority or disinterestedness of their authors — should be regarded as claiming attention and which should be regarded as obviously trivial. The former should be communicated to the Government of the mandatory Power, which will be asked to furnish, within a maximum period of six months, such comments as it may consider desirable. The Chairman of the Commission should be asked to submit a report upon the others.

"(4) All petitions sent to the League of Nations in conformity with the prescribed procedure should, together with the comments of the mandatory Powers, be held and accumulated until the next session of the Permanent Mandates Commission.

"(5) The Commission, after discussing any petitions received, should decide which, if any, accompanied by the observations of the mandatory Power, should be circulated to the Council and the Members of the League. The minutes of the meeting at which the petitions were discussed should be attached."

IV. THE PALESTINE MANDATE.

It was noted in the supplementary report to the third Assembly¹ that, in the discussion which took place in the Council on the mandate for Palestine in July 1922, particular attention was given to the question of the Holy Places. In Article 14 of the mandate as approved by the Council on July 24th, 1922, a special commission was contemplated:

Article 14. "A special Commission shall be appointed by the mandatory to study, define and determine the rights and claims in connection with the Holy Places and the rights and claims relating to the different religious communities in Palestine. The method of nomination, the composition and the functions of this Commission shall be submitted to the Council of the League for its approval, and the Commission shall not be appointed or enter upon its functions without the approval of the Council."

¹ See "Records of Third Assembly, Plenary Meetings", Volume II, page 100.

Different views were put forward during the discussions as to the method of appointment, composition and the duties of this commission, and the Council reserved its decision.

The question was again considered in a special session of the Council which met at Geneva on August 31st and October 4th, 1922. The British Government had in the meantime prepared a scheme which was intended to do justice as far as possible to all the interested parties. On August 31st the British representative on the Council invited his colleagues to examine this scheme and to consult their respective Governments in regard to it.

On October 4th the British representative informed the Council that the scheme was unfavourably regarded by those who represented Catholic opinion throughout the world. It was decided that the only course open to the Council was to adjourn the question once again for the study of the interested Governments.

A further question arising out of the mandate for Palestine was settled at a meeting of the Council held on September 16th, 1922. Article 25 of the mandate as approved by the Council in London on July 24th, 1922, provided that the territories in Palestine lying east of the Jordan might in certain particulars be under a different regime from the rest of the country. The article was as follows:

"In the territories lying between the Jordan and the eastern boundary of Palestine as ultimately determined, the mandatory shall be entitled, with the consent of the Council of the League of Nations, to postpone or to withhold application of such provisions of this mandate as he may consider inapplicable to the existing local conditions".

The British Government proposed that the Council, in accordance with the terms of this article, should pass a series of resolutions consenting to the withdrawal from Transjordan of all the special provisions of the mandate intended to provide a national home for the Jews west of the Jordan. It was understood that the general regime of the mandate for Palestine would be maintained.

The Council adopted resolutions on September 16th enumerating the provisions of the mandate which, under Article 25, would not be regarded as applicable to Transjordan.

V. FRONTIER BETWEEN THE TURKISH TERRITORY IN ASIA MINOR AND THE TERRITORY OF IRAQ.

On January 25th, 1923, the British Minister for Foreign Affairs attending the Conference on the Near East at Lausanne addressed a letter to the Secretary-General of the League of Nations stating that he desired, in exercise of the friendly right conferred by Article 11 of the Covenant, to bring to the attention of the Council the case of the disputed territory between the Turkish dominions of Asia Minor and the mandated territory of Iraq.

The question was placed upon the agenda of the session of the Council which met in January 1923, and a statement was made to the Council by the British representative on January 30th.

The British representative pointed out that this was a dispute which deeply concerned the League, because the territory of Iraq, being mandated, was ultimately under the supervision and control of the League, and because the British Government was acting in relation to that territory solely on behalf of the League.

The British Minister for Foreign Affairs had therefore proposed at Lausanne that the League of Nations should be asked to use its good offices to determine the frontier of the mandated territory, and this proposal had been strongly supported by the representatives of France, Italy and Japan. The Turkish representative had not, however, accepted the proposal.

The proposed action of the British Government was at the moment a hypothetical remedy for a danger which it was hoped would not occur. Article 11 would only be invoked in the event of the peace of the world being threatened. It was understood that, should the question come before the Council, Turkey would sit as a Member of the Council under Article 17, with complete and absolute equality with all other Members.

The Council noted the statement of the British representative.

10.

WORK OF THE TECHNICAL ORGANISATIONS.

I. THE ECONOMIC AND FINANCIAL ORGANISATION.

A. FINANCIAL RECONSTRUCTION OF AUSTRIA.

The financial reconstruction of Austria, which was initiated and is being carried out under the auspices of the League of Nations, falls naturally into four periods:

- I. From March 1921 till October 4th, 1922, *i.e.* from the time when the League of Nations was first asked to study this problem until the signature of the Protocols of Geneva.
- II. From October 4th, 1922, till February 1st, 1923, *i.e.* the period during which the preliminary organisation of reconstruction and control was set up, ending with the consent given to the Austrian Government to issue foreign loans with the guarantees of other Powers.
- III. From February 1st, 1923, till June 15th, 1923, *i.e.* the period during which external loans were mainly negotiated and raised.
- IV. From June 15th, 1923, till December 31st, 1924, by which date, under the original programme, the reconstruction scheme should be carried out and the budget balanced.

The present report covers the first three of these periods.

First Period.

THE ORIGIN OF THE RECONSTRUCTION SCHEME.

(From March 1921 to October 4th, 1922.)

Enquiry by the Financial Committee in 1921.

The League of Nations was first asked to study the problem of the restoration of Austria in March 1921 when it was informed by the Governments of Great Britain, France, Italy and Japan that they had decided to release for a period of years to be determined later their liens in respect of all claims against Austria, whether for relief credits, reparation obligations or the costs of the armies of occupation, on condition that other interested Governments would agree to a similar postponement and that Austria would be prepared to place the administration of assets in the hands of the League.

The Financial Committee, after sending a delegation to Vienna which studied the position on the spot, recommended a far-reaching and detailed scheme which was approved by the Council and forwarded to the Supreme Council of the Allies on June 3rd, 1921. It included internal reforms, sufficient credits, a central control of these credits to ensure that they were used so as to assist and secure the internal reform, and the release of assets.

The scheme was never put into operation on account of delay in obtaining the consent of the 13 other Governments necessary to free the assets.

The Early Months of 1922.

By February 1922 Austria's needs had become imperative and a collapse was imminent. Great Britain, France, Italy and Czechoslovakia came to the rescue with advances from public funds. Great Britain advanced £2,250,000, France and Italy made provision for the advance of 55 million francs and 70 million lire respectively; Czechoslovakia arranged to supply 500 million Czech crowns. Of these sums the British advance was immediately expended, but considerable

balances of the French and Italian grants and a smaller proportion of the Czechoslovak grant remained available (as will be seen, below) to assist the initial stages of the new scheme.

Appeal to the Allied Powers in August 1922.

Thus an actual collapse was arrested in the first half of the year; but the advances granted independently by several Governments and subject to no central control were consumed for current needs and served no further purpose.

Austria's financial disorganisation proceeded. The crown was, in August, worth only 1/10th of its value six months before, only about 1/100th of its value a year before and only 1/15,000th of its gold value.

By this time all the countries concerned had agreed to suspend their liens on Austria's assets to enable her to raise a loan. But it was too late. The yield of these assets was quite sufficient, so long as it continued, to provide the interest of a large loan. But no revenues could be relied upon if Austria fell into social and political chaos, and of this there was by this date the most serious and imminent danger.

Reply of the Allied Powers.

On August 15th, the Supreme Council referred the Austrian situation to the League of Nations for investigation and report and stated in reply to the Austrian Government that the Allied Governments were themselves unable to hold out any prospect of further financial assistance and that there was no hope, therefore, unless a scheme could be devised by the League of Nations which would attract money from private sources

Procedure in examining the Problem.

The Council was thus confronted with a complex political and financial problem.

At its first meeting, on August 31st, it at once instructed the Financial Committee to examine the financial aspects.

A few days later it received a statement from Mgr. Seipel, the Austrian Chancellor, who, in making his appeal and in all subsequent meetings of the Council and its Committee, was a member with full and equal rights in accordance with Article 4 of the Covenant. He described Austria's distress, explained the need for a guaranteed loan, stated that Austria was prepared to accept a system of control as a corollary to assistance and expressed the opinion that with such assistance she could soon become economically self-sufficient. He concluded, however, with a grave warning that without such assistance the condition of Austria constituted a serious danger to the peace of the world, which it was the duty of the League of Nations to examine and avert.

Czechoslovakia was invited to join the Council for this question and a Committee was appointed consisting of five of its own Members which was entrusted with the direction of all further work upon it.

This Austrian Committee consisted of: Lord Balfour (Great Britain); M. Hanotaux (France); Marquis Imperiali (Italy); Dr. Benes (Czechoslovakia); Mgr. Seipel (Austria) (replaced when absent by Dr. Grünberger, Minister for Foreign Affairs).

While obtaining the expert assistance of the Financial and Economic Committees and of the legal experts, this Committee of the Council kept in its own hands the specifically political aspects of the problem and maintained its control over the work of the above committees by considering interim reports as they proceeded with their studies.

The Financial Committee's Report.

The Financial Committee was first asked to consider, in consultation with the Austrian representatives, what measures were required and were practicable to secure budget equilibrium; after what period, with these measures, the result desired should be obtained; and what deficit in terms of gold must be contemplated as inevitable during the intervening period.

The Committee replied that the main economies should be secured by the reform of State industrial enterprises and the reduction in the number of officials. It pointed out that State enterprises involved a loss of 170 million gold crowns a year (£6,800,000). The railways alone involved a loss of 124 millions (£5,700,000), largely because, while wages follow the cost-of-living index, the railway tariffs were only *one-fifth* of what they would be on that basis. The loss should cease within two years and, in view of the important transit trade, the railways should ultimately become a source of profit. With regard to officials, the Committee pointed out that Vienna, as the capital of a country of six millions, had more State employees than when she was the capital of an empire of over 50 millions. It considered that within two years a third of the expenses, amounting to 130 million gold crowns (£6,000,000), ought to be saved. Simultaneously, the yield of taxation must be increased and so balance the budget within two years and thereafter exceed it. In the two years, however, while this process of reducing expenditure and increasing revenue

was incomplete, a total deficit of 520 million gold crowns (£24,000,000) was probable, or 650 million gold crowns (£30,000,000), including the sums required to repay the advances made in 1922 and not covered by the postponement arranged for the credits given in earlier years.

The Committee was next asked what securities Austria could offer for private credits. It replied that, apart from the forests and salt monopoly (which were proposed as security for the new Bank of Issue), the proceeds of the Customs and the tobacco monopoly should be available as security for a loan, and, if necessary, the *impôt foncier* as well. The Customs and tobacco monopoly alone should, with the necessary administrative reforms, give an annual yield of 80 million gold crowns (£3,700,000), which exceeded the estimated cost of the interest and amortisation of even the maximum loan of 650 million gold crowns.

In the unanimous opinion of the Committee, therefore, the securities were ample for the credits required for the transition period, on the vital conditions that the reforms recommended were carried through and that external and internal order were assured.

With the main conditions of the financial problem thus established, the Committee, in answer to further questions from the Austrian Committee of the Council, proceeded to study in detail how the deficit for the two years could be met, and what form of control was required in the interests of the reforms and of the securities on which the loan was to be based.

The Financial Committee, in presenting its report, pointed out that no financial scheme could in itself save Austria. Behind the problem of financial and budget reform remained that of the fundamental economic position. The Committee laid stress on the importance of increasing production and adapting it so as to obtain equilibrium in the trade balance.

The report concluded with the following grave warning:

“Austria has for three years been living largely upon public and private loans, which have voluntarily or involuntarily become gifts, upon private charity and upon losses of foreign speculators in the crown. Such resources cannot, in any event, continue and be so used. Austria has been consuming much more than she has produced. The large sums advanced, which should have been used for the re-establishment of her finances and for her economic reconstruction, have been used for current consumption. Any new advances must be used for the purposes of reform; and within a short time Austria will only be able to consume as much as she produces. The period of reform itself, even if the new credits are forthcoming, will necessarily be a very painful one. The longer it is deferred the more painful it must be. At the best, the conditions of life in Austria must be worse next year, when she is painfully re-establishing her position, than last year, when she was devoting loans intended for that purpose to current consumption without reform.

“The alternative is not between continuing the conditions of life of last year or improving them. It is between enduring a period of perhaps greater hardship than she has known since 1919 (but with the prospect of real amelioration — thereafter, the happier alternative) or collapsing into a chaos of destitution and starvation to which there is no modern analogy outside Russia.

“There is no hope for Austria unless she is prepared to endure and support an authority which must endorse reforms entailing harder conditions than those at present prevailing, knowing that in this way only can she avoid an even worse fate.”

The Economic Committee's Report.

The Economic Committee confined itself to certain preliminary suggestions:

- (1) Recognising the objections at present maintained to the full application of the Porto-Rosa recommendations, it advised the conclusion of conventions and bilateral agreements between Austria and each of the other Succession States.
- (2) It called attention to the need for reform both in Austria's internal economic system and in the conditions of her external trade.

Last Stages of the Negotiations.

Meanwhile, the Austrian Committee of the Council had itself been discussing directly the terms of a political declaration designed to give confidence in the political and economic integrity and independence of Austria. The whole scheme was gradually developed, with the assent of the different delegates and Governments, and on the last day of the Assembly (September 30th) the Council was able to report that, though its task was not fully accomplished, there was a good prospect of a complete scheme being signed with the assent of the Governments concerned within a few days.

This result was achieved on Wednesday, October 4th, when three Protocols were signed, covering, with their annexes, which included the Financial Committee's report, the whole of the Council's scheme; and these signatures indicated the complete and unreserved assent, to every part of the scheme, of the Governments of Great Britain, France, Italy, Czechoslovakia and Austria.

The first of these Protocols, signed by all the above Powers and open for the signature of all countries, contains a solemn declaration that the signatories will "respect the political independence, the territorial integrity, and the sovereignty of Austria; that they will seek no special or exclusive economic or financial advantage which would compromise that independence; and that if the occasion arises, they will refer the matter to the Council of the League and comply with its decisions." Austria herself, in the same Protocol, entered into corresponding obligations.

Protocol II, with its annexes, stated the conditions of the guarantee of the loan, the obligations of the guaranteeing Governments, and the powers and duties of the Committee of Control composed of representatives of those Governments. It was signed by the four principal guaranteeing Governments and by Austria, and remained open for signature by all other countries able and willing to participate in the financial scheme.

Lastly, Protocol III set out separately the obligations of Austria and the functions of the Commissioner-General, who was to collaborate with her in her programme of reform and its execution. From these three Protocols, taken together, emerges the League's general scheme.

Summary of the Scheme.

The basis of the scheme is the political integrity and economic independence of Austria and the Declaration (Protocol I) designed to ensure it. Aided by the confidence which it was hoped this Declaration would create, Austria was to commence a programme of reform (including economy in expenditure and increased revenue from taxation) which would ensure the balancing of her budget by the end of 1924. In the meantime, the excess of her expenditure over the revenue available from normal resources during these two years — estimated at a maximum of 650 million gold crowns — was to be met by the proceeds of loans.

These loans would, for the reasons given above, be guaranteed by external Governments, in addition to being secured on assets which (if the reforms were successful and order and stability maintained) would be sufficient without application to the guarantors. A guarantee equal in total to rather more than 80 % of the full sum required was given by Great Britain, France, Italy and Czechoslovakia, the remainder being left for other countries. The subscriber to the loan was therefore to have not only the security of the assigned assets, but also the guarantee of a specified Government for each fraction of his loan — in total a 100 % guarantee. The guaranteeing Governments themselves would be subject to no cash liability so long as the assigned assets proved sufficient for the service of the loan.

With the prospect of resources from these loans, Austria was relieved from the necessity of financing herself by the issue of paper money and so causing the precipitous fall of the crown, which rendered all efforts at budget equilibrium futile, and destroyed any stable basis for the economic life of the country. The scheme therefore assumed and regarded as essential the establishment of the proposed Bank of Issue under certain definite and specified conditions. The Austrian Government was to surrender all right to issue paper money and would not, except with special authorisation, negotiate or conclude loans.

The successful accomplishment of the reform programme, on which both Austria's prosperity and the value of her assets depend, was necessarily a difficult and painful task. The scheme therefore included the appointment of a Commissioner-General, whose duty it would be to ensure, in collaboration with the Austrian Government, that the programme of reforms was carried out and to supervise its execution. He would derive power from his control of the disposal of the loans: "The Austrian Government agreed that it might not dispose of any funds derived from loans... except by authorisation of the Commissioner-General"; but the conditions which he might attach to his authorisation "should have no other object than that of assuring the progressive realisation of the programme of reforms and of avoiding any deterioration on the assets assigned for the service of the loan."

The officer entrusted with this responsibility would not be the representative of the guaranteeing Powers; he would be an officer of the League of Nations. He would be appointed by and responsible to the Council of the League, of which the Austrian representative was, when Austrian matters were discussed, a full and equal Member. Indeed, the Council, in approving the scheme, added a resolution that the Commissioner-General should not be drawn from any of the principal guaranteeing countries nor from countries bordering upon Austria. His primary concern would be identical with that of the Austrian Government and the permanent interests of the Austrian people, namely, that the measures to enable Austria to achieve a position of self-supporting independence should be successful; the due maintenance of the value of the securities of the loan would, of course, be a part, but a part only, of the general programme which it would be the duty of the Austrian Government to frame and execute, and his to supervise. The Commissioner-General would live in Vienna. He would report monthly to the Council of the League. His functions would end as soon as the Council judged that the financial stability of Austria was assured.

In addition to the League's Commissioner-General, there was to be a "Committee of Control of the Guaranteeing Governments". This Committee, of which the Italian member was to be President and the Czechoslovak member Vice-President, was to be formed of the representatives of the guarantors with votes proportionate to the guarantees they had offered, and would watch their special interests. It would not be in permanent session but would meet from time to time, normally at the seat of the League. The approval of this Committee by a two-thirds majority was required to the main conditions under which the loan, the interest and amortisation of which were guaranteed, was to be subscribed; and it would, by the same majority, determine the condi-

tions of the payments should the guarantees actually be called upon. For other purposes, the Committee would work normally by a majority vote. It was to receive the monthly reports presented by the Commissioner-General to the Council ; it might ask him for information as to the progress of the reforms, and might make representations to him with regard to safeguarding the interests of the guarantors. If the assigned revenues were insufficient for the service of the loan, it might require the assignment of additional securities.

If exercising these rights, the Committee was to communicate not with the Austrian Government but with the Commissioner-General. The Committee and each guaranteeing State had a right of appeal to the Council *en cas d'abus*.

The rights and powers of both the Commissioner-General and the Committee were carefully defined so as to restrict them to the precise objects in which they were concerned: the execution of the reform programme, the maintenance of the value of the securities and the avoidance of any infringement of the sovereignty of Austria and the full responsibility of her Government.

The essential features of the Agreement arrived at were thus a programme of financial reform extending over two years ; provision to meet the deficit during this period by guaranteed loans; the arrest of the collapse of the crown ; the supervision of the Austrian Government's execution of the scheme within carefully defined and restricted limits.

Second Period.

PRELIMINARY ORGANISATION.

(From October 4th, 1922, to February 1st, 1923.)

It will be convenient to summarise the general work of organisation during this period under the following main heads, *viz.* legislation passed in Austria; foundation of the new Bank of Issue and the financial position up to February 1st, 1923; the institution of control and beginning of reforms; preparatory arrangements for external loans.

Austrian Legislation.

(a) *Reconstruction Law.*

Austria was required by Protocol III to draw up "within one month, in collaboration either with the Commissioner-General or with such provisional delegation of the Council of the League as may be appointed, a programme of reforms and improvements, to be realised by stages and designed to enable Austria to re-establish a permanent equilibrium of her budget within two years".

The Delegation appointed for this purpose consisted of the members of the League's Financial Committee who had drawn up the main financial scheme. It arrived at Vienna on October 17th, 1922, and (with some rotation of personnel) worked there continuously till December 15th, after which the Commissioner-General, Dr. Zimmerman, took charge.

The Austrian Government drafted a Reconstruction Law including provision for economies (administrative reforms, reorganisation of State enterprises, etc.) and for new taxes (higher Customs duties, consumption taxes, direct taxes and taxes on business transactions). Its terms, as amended after discussion, were agreed with the Delegation and the law was passed by a majority vote on December 3rd, 1922. In addition, a detailed programme showing the maximum expenditure permissible under each main heading and the estimated revenue at different periods till the budget was balanced was agreed between the Delegation and the Government.

The expenditure allowed under this programme was at the annual rate of¹:

January 1923	569.7 million gold crowns
July 1923	535.8 " "
January 1924	477.9 " "
July 1924	438.9 " "
December 1924	350 " "

The estimated revenue receipts in 1924 exceeded the latter figure, but the yield of new taxation was difficult to calculate. A margin was therefore allowed, and with this margin the Delegation was satisfied that the programme, if properly executed, was such as to offer a prospect of budget equilibrium by the end of 1924.

(b) *Law to confer Plenary Powers.*

The Austrian Government was also required to "lay before the Austrian Parliament a draft law giving, during two years, to any Government which may then be in power, full authority

¹ Excluding the contribution to local administrations which is compensated by a corresponding increase in the estimate of receipts.

to take all measures within the limits of this programme which in its opinion may be necessary to assure at the end of the period mentioned the re-establishment of budgetary equilibrium without there being any necessity to seek for further approval from Parliament."

This law was necessarily a constitutional law, requiring a two-thirds majority; this involved agreement with the Opposition parties. In the form in which it was ultimately passed, the law created an Extraordinary Cabinet Council, consisting of members of the Government and twenty-six members elected by the National Council so as to give representation to the different political parties in proportion to their numbers. Most measures in execution of the programme could be taken directly by the Government under the Reconstruction Law, but some of the more important measures, as well as any modifications of the programme considered necessary by the Government, had to be approved by this Cabinet Council. These discussions were, however, limited to eight days and in certain cases to three days.

In addition to the above laws, certain subsidiary laws were passed and the Geneva Protocols were ratified.

New Bank of Issue.

It was an essential part of the League's scheme that the issue of paper money by the Government to meet its expenditure should cease and that for this purpose a new Bank of Issue, independent of the Government, should be created and should alone have the right of note issue.

The necessary legislation, including the new statutes of the Bank, was passed by Parliament on November 14th, 1922. The inflationary issue of notes by the Government ceased on November 18th. The capital of 30 million gold crowns required was duly subscribed and the new Bank opened its doors on January 2nd, 1923.

The Bank is under the control of a board which includes no official, and with the exception of its President, Dr. Reisch, all its members are elected by the shareholders.

The operations of the Bank are purely commercial. Neither the Federal Government, the provinces nor the municipalities issue paper money or can have recourse directly or indirectly to the funds of the Bank for their own needs, without paying in gold or securities the exchange value of the notes received. The issue of notes will be kept within fixed limits, the metallic cover being increased by stages from 20 to 33.3 %; this cover does not apply, however, to that part of the fiduciary circulation which represents loans previously made to the State by the Austro-Hungarian Bank.

The first balance-sheet of the new bank showed a satisfactory position.

Owing to the return of confidence, the supply of foreign currency — at a rate of exchange which, within narrow limits, remained stable — proved largely in excess of the demand. The "flight from the crown" was replaced by a return "flight to the crown". Foreign securities and currencies previously hoarded were brought back and converted into crowns.

Commercial operations previously conducted in foreign exchange were again conducted in Austrian crowns — now become one of the most stable currencies in Europe; and the gold value of the currency in circulation proved inadequate for the requirements of the market. Additional notes were printed, but, unlike those printed up to November 18th, 1922, every additional note was covered by its full value in additional reserve of gold or foreign currency. The result was that each of the 4,000 milliard notes circulating in January was better secured than the 3,000 milliard in November; and the value of the reserves of the Devisen-Zentrale rose from £700,000 in October to no less than £4,000,000 by the end of the year.

Financial Position.

In the period now being summarised the expenditure of the Austrian Government was met entirely by internal resources.

Up to November 18th, 1922, the old inflationary methods continued, the Government borrowing from the Bank, which increased correspondingly the issue of notes. Owing to the new confidence resulting from the League scheme, this was possible without any of the resulting evils of inflation — that is, without any fall in the exchange value or in the purchasing power of the crown. Indeed, an increase in the note issue was necessary if the crown were not to rise considerably in value (an event which would have had disastrous economic results); for the previous fall in exchange value had altogether outrun the increase in the notes, and at the beginning of September 1922 the gold value of the total Austrian currency was only 10 % of its gold value in 1919.

Inflation could not, however, have continued without producing its normal ill-effects, and, when it stopped on November 18th, internal loans became necessary. The Government successfully raised by January 16th, 1923, 50 million gold crowns on six-month 8 % Treasury Bonds quoted in dollars and secured on the gross receipts of the Customs and tobacco monopoly, in addition to the 30 million gold crowns raised as capital for the new Bank of Issue and the 18 millions produced by the forced loan.

With the aid of these loans and an operation based upon 7½ million gold crowns' worth of certain gold in possession of the Government, the deficit was covered till the end of January. There remained the balance of credits advanced in 1922 by the Governments of France, Italy and Czechoslovakia, which amounted together to about 630 milliards of paper crowns. It was with these funds and certain other limited resources that the Austrian Government had to meet its further requirements until the proceeds of external short-term loans were available.

Control and Reforms.

The first measures of control were instituted by the Delegation, which arrived at Vienna on October 18th, 1922. A special controlled account for the gross receipts of the Customs and tobacco monopoly was opened on December 9th. All the proceeds of loans are paid into a second account, also under control, and a system of statistical returns was instituted in order to keep the controlling authority informed of the weekly returns of the gross receipts from Customs and tobacco, the operations carried out by the Central Exchange Office, the operations of the Bank, the position of the Central Treasury, the total State receipts and expenditure summarised according to Ministries, and the advance estimates of requirements week by week.

Pending the arrival of the Commissioner-General, the administrative reforms which the Austrian Government had agreed to institute could only remain in a preliminary stage. Railway and postal rates were, however, raised in October, the increase being, in view of the stability of the crown, for the first time a real one. The number of officials was reduced by about 10,000 during October and November.

On December 12th the appointment of Dr. Zimmerman, Burgomaster of Rotterdam, as Commissioner-General was announced. He arrived at Vienna on December 15th, and began his control on December 16th. He immediately took up in detail the question of reform with the Austrian Government.

Before his arrival, the Delegation had agreed with the Austrian Government upon a detailed scheme to enable expenditure to be reduced at regular intervals, and providing for the reduction of the total budget in 1925 to a sum of 350 million gold crowns. The first stage in this scheme involved an average monthly deficit of 339 milliards of paper crowns during the period January to June 1923. As the results of administrative reforms could not be expected to have full effect upon the budget during the early months, Dr. Zimmerman agreed to a budget for the month of January only, which provided for a deficit of 404 milliards. With his advice, the budget estimates for 1923 were prepared by the Austrian Government and have been kept strictly within the limits laid down by the Delegation.

The nature and results of the control as finally instituted are fully described in the Chapter on the Third Period.

Preparatory Arrangements for External Loans.

At the end of this period the Commission of Control authorised the issue of a short-term loan, amounting to a value of £3½ million sterling (under conditions described in the next chapter), in order to cover the period during which the more difficult arrangements for the main long-term loan were being completed.

The following resolutions passed by the Council on February 1st, 1923, conveniently summarised the position at this moment:

(1) The Council recognises and appreciates the substantial results already obtained in carrying out the reforms recommended in the Geneva Protocols. Legislation has been passed to secure the execution of the reconstruction programme; a new Bank of Issue has been founded, inflation has ceased, the crown has been stabilised, a preliminary and considerable reduction in the number of officials has taken place, while the returns from certain State enterprises and important revenue-producing duties have been increased. Finally, the 1923 budget has been established within the limits prescribed by the League of Nations.

(2) The Council notes with satisfaction that the Austrian Government and the Austrian public, realising the promise which it gives for the future of Austria, have co-operated in the accomplishment of this programme. The confidence of the public has been shown in the subscription of the necessary capital of the new Bank of Issue and of over fifty million gold crowns to an internal loan before any external loans have been raised. Moreover, there has been an increase in three months of more than 500 % in savings and bank deposits and a large increase in the foreign currencies which serve as a cover for the new Bank of Issue.

(3) These striking facts have confirmed the Council in its belief that the scheme embodied in the Geneva Protocols gives ground for confident hope in the final reconstruction of Austria on condition that the Austrian Government continues to show unrelaxing determination and receives the confidence and continuous support of the people.

(4) The Council notes these results and signs of a return of national self-confidence with the greater satisfaction because it was foreseen by the League of Nations in September 1922 that the effort required from Austria for the maintenance of her economic independence and the restoration of her prosperity required from the whole nation a spirit of sacrifice and self-denial during the necessary transition period while the reform programme is being put in force.

(5) The Council is in complete agreement with the Commissioner-General, of whose firm action and well-advised recommendations it desires to express its appreciation and approval. The Council fully agrees with him that it is essential that the financial reconstruction of Austria and budget equilibrium should within two years be an accomplished fact and that the Austrian Government, with the support of the Austrian people, should proceed in the path of reform with rapidity and determination.

(6) The Council is convinced that, in so far as measures of reform are submitted under the constitutional law to the special Cabinet Council, this arrangement should not be used to render less effective the decisions required for the rapid execution of the programme of reform. The Council relies upon the spirit of co-operation and patriotism in the members of the Cabinet Council

to assist the Government effectively in the heavy task which it has courageously undertaken. It is only by unceasing energy and united action, by using their rights with a due sense of responsibility, and by giving to and obtaining for the Government all powers which may be necessary that they will crown their work with success.

(7) While recognising the considerable reduction in the number of officials which has already been achieved, the Council ought to draw attention to the passage of the Commissioner-General's report in which he points out that a satisfactory continuation of this reduction will only be possible if a radical reorganisation and simplification of the administrative system is undertaken and if the reforms are carried out with unrelaxing determination and, so far as possible, by the concentration of administrative powers in a single authority.

(8) Finally, the Council regards it as essential that the Austrian Government, with the support of every section and party of the nation, and with the assistance of the Commissioner-General, should set itself to give prompt and adequate effect to the measures of reform contemplated in the Geneva Protocols, which were dictated solely by the desire to safeguard the interests of Austria herself and to restore her to complete prosperity.

Third Period.

THE RAISING OF FOREIGN LOANS.

(From February 1st, 1923, to June 15th, 1923.)

Short-term Loan, February 1923.

The necessity for raising short-term foreign credits pending the issue of a long-term loan had been recognised in the Protocols, and, on receiving the consent of the Committee of Control, the Austrian Government immediately negotiated an issue of yearling Treasury Bills amounting to about £3½ millions, secured in the first place upon the revenues from the Customs and tobacco monopoly and redeemable out of the subsequent long-term loan.

Some of the guarantees expected for the main loan were, through delay in ratification, not available at this time. The original guarantors, *i.e.* Great Britain, France, Italy, and Czechoslovakia, therefore backed the issue by ensuring each 24.5% of the service, Belgium undertaking the remaining 2%. The mechanism of the guarantee was similar to that of the much more important long-term loan which will be described later. The short-term loan was placed as follows:

		£ Sterling
In London	£1,800,000 sterling.	1,800,000
» Paris	60,000,000 French francs.	800,000
» Amsterdam	6,000,000 Dutch florins	500,000
» Brussels	8,500,000 Belgian francs	100,000
» Stockholm	1,800,000 Swedish crowns.	100,000
» Switzerland	5,000,000 Swiss francs	200,000
	Total	£ 3,500,000

The majority of the blocks bore 7-7½% annual interest, the French block 8%, the Swiss 6%; the English block and the Netherlands block were open to public subscription; the others were taken up directly by various banking syndicates. In England, that is to say on the market where more than half the loan was offered, it was over-subscribed by almost twice the amount by the public.

The success of the internal Austrian loans reflected the return of confidence in Austria itself. The success of these first external loans showed similarly that the confidence of other countries in the recovery of Austria was beginning to return; it also showed that the system of guaranteed loans provided for in the Protocols was practicable.

The proceeds, gradually released as required by the Commissioner-General from his controlled account, carried the Austrian Government through the first half of the year until the long-term loan was issued.

Reform in Austria.

Meanwhile, the work of financial and administrative reconstruction was pursued in Austria. It is described in full detail in the five monthly reports of the Commissioner-General¹ to the Council and may be summarised under the following headings:

- Mechanism of control;
- Budget position;
- Administrative reforms and reduction of the number of officials;
- General economic and financial situation.

¹ See *Official Journal*, March 1923, pages 307-338; April 1923, pages 435-466; May 1923, pages 511-542; July 1923.

Mechanism of Control.

The mechanism of control was organised during the early weeks of 1923, as described above, and continues in the same form at the present time. The yield of the Austrian Customs and tobacco monopoly (assets assigned as security for foreign loans) is paid into a separate account controlled by the Commissioner-General, who, after retaining the sums required for the service of loans, gives back the balance to the Austrian Government.

The gross receipts from these two sources of revenue have been as follows:

	(In milliards of paper crowns)		
	<i>Customs</i>	<i>Tobacco monopoly</i>	<i>Total</i>
January	68	102	170
February	60	110	170
March	73	114	187
April	81	107	188

On the basis of these four months the annual gross yield is equivalent to more than 150 million gold crowns and therefore much more than adequate as security for the maximum external loan of 650 million gold crowns contemplated under the Protocols.

The proceeds of all loans are paid into another controlled account from which the Commissioner-General only releases sums which he is satisfied are necessarily required by the Austrian Government in order to meet the monthly deficits on budget programmes which he has previously approved. Every month the Austrian Government has laid before the Commissioner-General its estimates of receipts and expenditure for the following month. These are checked and approved by him, and he thus forms a decision as to the amounts which he is prepared to release. On several occasions he has insisted that provisional estimates should be cut down. He has never allowed the actual deficits to exceed the estimates which he has once approved, and by refusing to release sums beyond those required under the monthly estimates submitted to him he has been able to exercise a decisive influence over the reform of public finance and administration.

The position of the new Bank of Issue continued to be sound. The gold and currency reserve increased more than the liabilities, and the cover is nearly 30% and much higher than is required under the Statutes. On the recommendation of Dr. Zimmerman, the Austrian Government appointed M. Schnyder, formerly Vice-President of the National Bank of Switzerland, as adviser to the Bank with special powers which were secured by an amendment of the Statutes.

Budget Position.

The agreement concluded between the Provisional Delegation and the Austrian Government contained the half-yearly budget programmes which, it was estimated, would bring about budget equilibrium by the end of 1924. The following table shows the delegation's estimate for the first half of 1923, together with the provisional estimates for the first four months of the year, excluding arrears and other adjustments on previous months approved by the Commissioner-General:

	Average Jan.-June 1923 (Delegation)	January	February	March	April	Total Jan.-June	Monthly average
		(milliards of paper crowns)					
Expenditure	719	735	751	718	690	2894	723
Receipts	380	330	379	410	385	1504	376
Deficit	339	405	372	308	305	1390	347

It will be observed that the March and April budgets are well within the programme of reform — a fact which was noted by the Council with great satisfaction at its meeting in April. The Council added, however:

“At the same time, the Council feels a particular responsibility to the public and the Guaranteeing States now that the proceeds of the first loan are in the hands of the Commissioner-General and that authorisation has just been given for the issue of the main long-term loan contemplated by the Geneva Protocols.

“The Council has in mind the fact that the whole success of the scheme of reconstruction depends upon the continuously prompt execution of the reforms, and that for this purpose the Protocols confer not only the right but the duty upon the Commissioner-General to make the release of the proceeds of the loan in his hands conditional upon the due and satisfactory progress in these reforms. With this in mind, the Council notes specially the statement of the Commissioner-General that the period is approaching when the programme necessarily required considerable reductions in the limits of monthly expenditure and his definite opinion that these narrower limits will necessitate the execution in the near future of drastic and energetic reform, as detailed in his reports.”

In almost every one of his reports, the Commissioner-General has laid stress upon the fact that budget reform is dependent upon radical administrative reorganisation. The more important

administrative reforms which have so far been carried out are the following: A control by the Austrian Treasury over the spending departments, whose monthly estimates are checked and not allowed to be exceeded; the winding-up of certain minor offices; the suppression of temporary advances to the provinces; the abolition of reduced railway rates for officials; the reduction in the number of ministries from ten to seven.

Administrative Reforms and Reduction of the number of Officials.

The reduction in the number of officials has proceeded with varying success. It had been agreed between the Provisional Delegation and the Austrian Government that, in all, 100,000 officials should be dismissed in the following stages: 25,000 before December 31st, 1922, and 25,000 during each of the three succeeding periods of six months. Up to December 31st the programme was practically carried out to time, but on May 5th only 35,171 officials had been dismissed. This, as the Commissioner-General pointed out, is a part of the reform programme which becomes necessarily more difficult as it approaches completion. The Council, at its April session, emphasised its importance in the following resolution:

“The Council desires to call attention to the necessity for increasing the rate of reduction in the number of officials throughout the administration, noting that, while the earlier figures were satisfactory, the later figures appear to indicate some slackening of effort.”

The problem of the dismissal of officials is intimately bound up with that of the reorganisation of the State railways, the seriousness of which was pointed out by the Financial Committee of the League when the reconstruction scheme was framed. In his third report, the Commissioner-General pointed out that the subventions paid to the various railways were alone equal to the estimated deficit on the 1923 budget. On his advice, the Austrian Government appointed Sir William Acworth to study this problem, and he is assisted by a Swiss railway expert. With regard to the railway problem, the Council took the following resolution:

“In particular, the Council desires to call attention to the special urgency of rapid economy in the railway administration, the deficit of which must properly be regarded as the centre of the whole Austrian financial problem. The Council is glad to learn that the Austrian Government has taken the first steps towards placing the administration upon a commercial basis, and for this purpose is obtaining the best expert advice. The Council hopes that this comprehensive scheme will be proceeded with as rapidly as possible but that, in the meantime and without waiting for its completion, the many obvious and practicable measures of reform that can be now taken should be taken at once.”

General Economic and Financial Situation.

With the beginning of the reform scheme and the stabilisation of the crown, there occurred during January and February a great increase in unemployment, partly due to the fact that Austrian industry was suddenly deprived of the artificial stimulant of a continuously falling exchange. But the number, which rose to 170,000 in February, fell to 122,000 on May 15th, and in his May report the Commissioner-General noted other slight indications of an economic revival. Throughout, the Commissioner-General has laid stress upon the importance of attracting foreign capital for private enterprise and developing production.

On the other hand, month by month the Commissioner-General has recorded the favourable effect which the reform of public finance has had upon the general financial life of the country; of this, the two most striking indications are, first, the rise in the deposits in banks and savings banks; and, secondly, the remarkable stability of the Austrian crown, which has become one of the most stable currencies in Europe after being the least stable outside Russia.

In these circumstances the Austrian Government began negotiations for the long-term loan.

The Long-Term Loan.

In March the Austrian Government appointed a Committee, composed of the Austrian Minister Baron Franckenstein, M. Peter Bark, and Mr. F. H. Nixon.

The preliminary negotiations of this Committee showed that the moment was favourable for the issue of the loan and that there were great advantages in obtaining the whole, or practically the whole, in one set of simultaneous issues.

The Austrian Government therefore applied to the Committee of Control, through Dr. Zimmerman, for authority to issue the whole loan contemplated under the Protocols, subject only to any reduction that might prove necessary if the guarantees did not suffice to cover 100% of the full sum.

This authority was given on April 16th, when the following conditions were at the same time approved:

The loan was to be a 20-year loan, redeemable by June 1943. Trustees¹ were to be appointed by the Council to watch the special interests of the bondholder.

¹ The Council appointed as the first trustee M. Albert A. Janssen, Chairman of the Financial Committee of the League of Nations. The number of trustees is ultimately to be increased to three.

The guaranteeing Governments were to deposit collateral with the National Bank of Switzerland, which was to hold it on behalf of the trustees. The loan was to be issued, as far as possible simultaneously, about the beginning of June, in the different subscribing countries in the national currencies of those countries, except in Austria, where the issue was to be on a gold basis. The guarantees available sufficed to give 100% guarantee for a loan on this basis not exceeding 585 million gold crowns in effective yield plus expenses, the guarantee being in the following proportions:

Great Britain	24.5%
France	24.5%
Czechoslovakia	24.5%
Italy	20.5%
Belgium	2%
Sweden	2%
Netherlands	1%
Denmark	1%

In addition to the above sum, Austria will have at its disposal 20 million gold crowns which the Swiss Government is advancing. The Spanish Government, whose guarantee was not ratified in time to be included in the main loan, is considering a similar advance of about 26 million gold crowns. If this is duly made, Austria will have received approximately 630 million gold crowns (exclusive of expenses) or within 3% of the total sum originally contemplated.

The arrangements for the issue of the full sum of 585 million gold crowns (plus expenses) were successfully concluded, the details of issue being as shown in the following table:

Country	Date of Issue	Nominal Amount	Issued at	Interest
London (Bank of England)	June 9th	£14,000,000 sterling	80	6%
New York (Syndicate headed by J. P. Morgan & Co.)	June 11th	\$25,000,000	90	7%
Vienna	June 1st	\$13,000,000	—	—
France (Banque de Paris)	Middle of July	150,000,000 French francs	—	—
Rome	July	200,000,000 lire (probably)	—	—
Brussels (Société générale de Belgique)	June 15th	25,000,000 Belgian francs	80	6%
Amsterdam (Hope & Co.)	June 14th	3,000,000 Dutch florins	80	6%
Stockholm (Enskilda Bank)	June 12th	13,110,000 Swedish crowns	80	6%
Geneva (Union financière).	June 15th	25,000,000 Swiss francs	81	6%

The large long-term loan has therefore been successfully concluded. Based upon the guarantees of nine different Governments, also secured by assets under the control of an international officer appointed by the League of Nations, utilised for a financial scheme of reconstruction in which twelve Governments are actively participating and for which the League as a whole is responsible, raised in at least nine financial markets in different currencies but upon the same securities, it is unique in the financial operations of the world.

With its successful conclusion the external world has done its share of the task set by the Protocols of Geneva. The main burden of the difficult task that still remains—the successful completion within the next 1½ years of the reforms which are to leave Austria's budget balanced and her financial position stable and self-supporting—must fall upon Austria herself and upon the Austrian Government, with the support and assistance of the Commissioner-General, Dr. Zimmerman.

The Council has expressed its congratulations and appreciation of the efforts made by many persons in many countries which have resulted in the remarkable progress so far achieved. In particular, while conveying its deep appreciation of the work already accomplished by the Austrian Government and people and by Dr. Zimmerman and his staff, it expressed the confident hope that they would continue to a successful conclusion the arduous task of financial and administrative reform which still remained to be accomplished.

B. WORK OF THE ECONOMIC COMMITTEE.

I. EQUITABLE TREATMENT OF COMMERCE (ARTICLE 23 OF THE COVENANT).

The third Assembly, on September 28th, 1923, noted with satisfaction the thorough enquiry which the Economic Committee had already made into the question of the equitable treatment of commerce and the progress achieved in regard to certain aspects of the problem.

(a) *Customs Formalities.*

The Assembly approved in particular the proposal to convene a Conference of Experts on Customs Formalities and hoped that measures would be taken not only to promote the success of the Conference but also to follow up its conclusions in such a way as to secure practical action by the Governments with the least possible delay.

The Economic Committee had already presented to the Council on September 16th, 1922, a preliminary programme for the Conference. This programme was carefully defined and limited, and it was understood that the discussions at the Conference would not extend to matters of policy in respect of tariffs or commercial agreements.

Further progress was made in preparation for the Conference during the session of the Economic Committee held at Geneva in January 1923. The Committee was anxious that all States represented at the Conference should have ample time, before the departure of their representatives, to consider the final documents which the Committee intended, with the approval of the Council, to collect and prepare as a basis for the discussions.

The Committee proposed that the Conference should be held at Geneva on October 15th, 1923, and that an invitation should be sent to the International Chamber of Commerce to attend in a consultative capacity. It further suggested that the invitations to the Conference should be accompanied by the programme approved in September 1922, and by a special request that the Governments receiving the invitation should furnish the Economic Committee as soon as possible with their observations.

The Council approved these suggestions during its January session, and invitations were addressed to all States Members of the League, to the United States of America, Germany, Mexico, Ecuador, the Irish Free State and the International Chamber of Commerce at Paris.

Meanwhile the Economic Committee secured the collaboration of customs experts from sixteen different countries from whom they received valuable memoranda explaining the customs regulations in force in their respective countries and submitting suggestions for their possible simplification.

The Economic Committee, during its sessions held in March and May 1923, revised the draft programme of the Conference with the assistance of the customs experts who met at Geneva simultaneously with the Committee in order to give it any advice which might be necessary. The Committee decided to attach to the revised draft programme a special commentary explaining in detail the intention and scope of the proposals contained in the programme. It further decided to circulate summaries of the results of the deliberations of the experts in the form of recommendations and suggestions which, in the opinion of the Economic Committee, deserved the favourable consideration of the participating States.

(b) *Unfair Competition.*

The Assembly, in its resolutions of September 28th, 1922, hoped that, as a result of the proposals elaborated by the Economic Committee in 1922, it would shortly be possible to modify the existing international conventions on unfair competition. The Council, in May 1922, had previously communicated to all the Members of the League and to the principal States non-Members a report of the Economic Committee on this subject together with draft articles for a proposed convention inviting the States Members of the League to present their criticisms and suggestions.

The following States forwarded their comments to the Secretariat: Austria, Belgium, Canada, Czechoslovakia, Esthonia, Finland, France, Great Britain, Luxemburg, the Netherlands, New Zealand, Roumania, South Africa and Sweden. The Committee has also received observations from the "Union pour la propriété industrielle" at Berne.

The Committee, during its session of January 1923, decided to await further observations before framing a final draft convention and instructed the Secretariat to address a further appeal to the Governments for their comments. This appeal was despatched on February 20th, 1923.

Replies have since been received from India, Japan, Poland and Bulgaria.

(c) *Treatment of Foreign Persons and Firms.*

The Assembly, in its resolution of September 28th, 1922, hoped that it would be possible for the Economic Committee to submit valuable recommendations at an early date in regard to the treatment of foreign persons and firms.

The Economic Committee, in a report submitted to the Council in September 1922, had previously expressed the opinion that unjust or oppressive treatment by one State of persons, firms and companies of other Member States admitted to carry on their commerce, industry or other occupation in its territories, constituted a clear violation of Article 23 (e) of the Covenant. The Committee had considered the subject and encountered many difficulties of a technical character. Though it had arrived at an agreement as to the general principles which ought to guide the Members of the League, it considered it necessary to continue and extend its enquiry before submitting a definite recommendation to the Council.

The Economic Committee concluded its investigations during its session held in May 1923. The results were embodied in a series of recommendations to be presented to the Council in July, 1923.

The Committee came to the conclusion that the time was not ripe for framing detailed rules for the equitable treatment of foreign persons and firms by means of a technical conference followed by a general convention. It hoped, however, that it would be possible to obtain general assent to certain principles by which the Members of the League would be guided both in their national legislation and administration and in any bilateral agreements which they might conclude with other States. The recommendations of the Committee deal with the equitable treatment of foreign nationals, companies and enterprises which, according to the laws of the various States, have been duly admitted to follow their industry or occupation in the territories of these States. They may be shortly summarised as follows:

Nationals and enterprises of one State duly established on the territory of another should enjoy national treatment in fiscal matters as regards their goods, industry, commerce or any other form of economic activity. Such nationals or enterprises, if they are admitted to carry on industry, commerce or any other form of economic activity without being established, should enjoy the same treatment in fiscal matters as nationals. Taxes imposed on branches of foreign businesses should be limited to the capital invested in the foreign country or to the profits of revenues arising from the business activities carried on in that country.

Foreign nationals and enterprises should be free to acquire and possess property of all kinds, real or personal, which is necessary for their economic activities. They should be able to dispose of this property with regard to cession, exchange, gift or legacy in accordance with the regime accorded to nationals. As regards the export of the product of the sale of real and personal property of foreign nationals and enterprises, no discrimination should be made according to their nationality. Foreign nationals and enterprises shall be free to appear before the courts of foreign countries either as plaintiffs or as defendants.

2. DRAFT CONVENTION ON ARBITRATION CLAUSES IN COMMERCIAL CONTRACTS.

The third Assembly, in its resolution of September 28th, 1922, drew the attention of the States Members of the League in a special manner to the recommendations in regard to commercial arbitration which had been discussed and formulated by the Economic Committee and presented to the Council on September 16th, 1922.

The importance of the enquiries conducted by the Economic Committee into this subject had been previously recognised by the Genoa Conference, and Article 14 of the resolutions of the Economic Commission of the Genoa Conference had expressed the hope that these enquiries would be continued.

Previous to the meeting of the third Assembly, the Economic Committee had appointed a Committee of Experts to advise them on the legal and commercial aspects of the question. The report of this Committee was communicated to the States Members of the League on October 30th, 1922.

The Economic Committee, during its January and May sessions 1923, in consultation with a drafting committee of legal experts, drew up a draft protocol with the object of giving effect to the recommendations contained in the report and of meeting the widely expressed desire of the commercial world that arbitration agreements should be ensured effective recognition and protection. The Council, which had already approved the substance of the articles to be included in the proposed convention, decided, on April 18th, 1923, that the Economic Committee might communicate the protocol to the Members of the League as soon as the final text had been prepared so that the Governments of distant countries might be able to consider it before their representatives left for Geneva to attend the fourth Assembly.

The protocol will be open for signature at the fourth Assembly by all States who desire to adhere to it.

3. BILLS OF EXCHANGE.

The third Assembly, in its resolutions adopted on September 28th, 1922, noted the proposals which had been made by the Economic Committee for securing greater uniformity in the national laws relating to bills of exchange.

The Council had approved these proposals in May 1922; they contemplated an international conference to be convened under conditions to be discussed with the Netherlands Government, which had played so important a part in the international regulation of this question, particularly in connection with the International Convention of 1912.

Following the discussions between the Economic Committee and a representative of the Dutch Government, Dr. Josephus Jitta, the Council decided, on September 16th, 1922, that Dr. Jitta should be asked to prepare a memorandum on the present legal situation setting forth the several ways in which greater uniformity might be achieved between different legislative codes among themselves and also between this group of codes and the law of the Anglo-Saxon communities. Professor Lyon-Caen, Sir Mackenzie D. Chalmers and Professor Klein, of the University of Vienna, were also invited to present memoranda.

The memoranda of the four experts have already reached the Secretariat, and it is proposed to arrange at an early date for a meeting between their authors for a discussion on the best practical measures to be taken for further action in this matter, in which the commercial world seems to take great interest. A larger meeting of experts is to be convened in the near future.

4. ENQUIRY INTO UNEMPLOYMENT IN COLLABORATION WITH THE INTERNATIONAL LABOUR OFFICE.

In accordance with the resolution passed by the third Assembly, the Economic Committee has considered the scope and method of the co-operation to be established with the International Labour Office in connection with the enquiry into unemployment. As the question is likewise on the agenda of the Financial Committee, no final policy can be agreed until after the meeting of that Committee in June.

5. ECONOMIC STATISTICS.

The Genoa Conference in 1922 passed a resolution to the effect that common principles should be generally adopted by the Governments in the compilation of economic statistics. The Economic Committee drew the attention of the Council to this resolution in June 1922, in which the view was expressed that it was desirable for the Economic Committee to take action in the matter.

The Economic Committee accordingly appointed a Sub-Committee to arrive if possible at a basis of collaboration with the International Institute of Statistics. The Institute was arranging to hold one of its regular General Conferences in 1923 and expressed its willingness to draw up its programme in collaboration with the Economic Committee. It was accordingly arranged that a Mixed Committee composed of representatives of the Economic Committee, the International Labour Office and the International Institute of Statistics should appoint experts in certain fields of economic statistics to prepare reports with a view to assisting the proposed Conference to deal thoroughly with the problem of the unification of methods of economic statistics.

The Mixed Committee met in London on December 4th, 1922. A Committee of Experts was elected and a programme of work was approved.

The Committee of Experts met on January 10th and 11th, 1923, at The Hague, where, after a general discussion of the programme approved in London, it divided itself into four Sub-Committees. These Sub-Committees prepared memoranda for discussion at a further meeting of the Expert Committee which was held at The Hague at the beginning of June and definite resolutions with regard to three out of the four subjects treated were adopted.

C. WORK OF THE FINANCIAL COMMITTEE.

The Financial Committee has been engaged in the past year in the study of various financial problems, notably double taxation. Its work in connection with the reconstruction of Austria will be found under a separate heading.¹ It has also examined various problems in connection with the financial administration of the Free City of Danzig, the appointment of a Financial Adviser to the Government of Albania, and the floating of a loan by the Greek Government.

FINANCIAL POSITION OF THE FREE CITY OF DANZIG.

On September 6th, 1922, the Financial Committee adopted various resolutions with regard to the financial situation of the Free City, this question having been referred to it by the Council. The resolutions expressed, first, the desirability that the Reparation Commission should consider whether it could not grant at the earliest possible moment some postponement of the liabilities placed upon Danzig as the result of the peace settlement; secondly, that the Allied Commission for the Allocation of former German State Property in Danzig should consider the desirability of finishing its work at once, and especially of deciding the future of the Danzig dockyards and the railway workshops; and, thirdly, that Danzig should immediately take in hand

¹ See page 230.

the question of introducing a new currency, and that, as a step in this direction, short-term Treasury Bonds might be issued by the Free City, either within its own territory or elsewhere in a sufficiently stable foreign currency.

The Council approved these resolutions on September 16th, 1922.

Correspondence ensued between the Reparation Commission, the Conference of Ambassadors, and the High Commissioner of the League and the Danzig Government. The Danzig Government pointed out certain difficulties which would be encountered in carrying out the suggestions of the Financial Committee. It also expressed the opinion that the financial position of the Free City did not necessitate outside intervention in the form of foreign financial control but that it would be possible to balance the budget for the period 1922-23 without incurring a deficit. The Free City's requirements in working capital, however, would amount to a very large sum, and this must be considered as the crux of the financial situation.

On January 6th, 1923, the Reparation Commission informed the Secretary-General that a moratorium of 12 months could be granted to Danzig regarding her liabilities in respect of former German State property acquired by the Free City under the Treaty of Versailles, and the share of German and Prussian public debts attributable to the Free City in accordance with the terms of the Treaty.

The Council, on January 30th, decided to forward all correspondence regarding the financial situation of the Free City to the Financial Committee of the League with a request that it should follow its developments and make such further reports as might appear to be necessary.

The Financial Committee met on January 30th and 31st, 1923, in Paris and, after considering the situation, made certain proposals which were adopted by the Council on February 3rd, 1923. In the first place the Financial Committee desired to remind the Council that it had already considered the financial situation of the Free City and had given opinions which had been transmitted to the Free City by the Council. In pursuance of the action recommended by the Financial Committee, the Reparation Commission had granted the Free City a moratorium for a period of one year in respect of certain obligations arising out of the Treaty of Peace. The representative of the Free City had explained to the Council that, according to the conditions under which it was granted, this moratorium did not allow the Free City to carry on credit operations sufficient for its needs. In the resolution which the Financial Committee had taken in September 1922, it had expressed the opinion that the financial problem of Danzig could not be solved except by the substitution of a stable currency for the German mark. That view had not been adopted by the Free City. The Financial Committee recognised, however, that it was extremely difficult for the authorities of the Free City to substitute any fresh currency for the German mark at the moment, but desired, however, to state that at the time when it gave its opinion that substitution would have been possible. It was convinced that the Free City would never emerge from its monetary embarrassments unless a stable currency were adopted. The Committee was convinced that the authorities of the Free City could only carry out with very great difficulty the credit operations of which they stood in need during the period and under the conditions of the moratorium granted by the Reparation Commission. The Committee did not believe that, at that moment, the Free City ought to carry on credit operations for industrial or other installations, nor for the funding of its debt. Loans raised by it should be restricted to the sums required to provide working capital and should not exceed 500,000 gold marks. The Committee therefore recommended that the Council should approach the Reparation Commission and the Conference of Ambassadors with a view to assuring to the Free City the priority for credit operations not exceeding that sum.

On February 3rd, the Council approved the recommendations of the Financial Committee and authorised the Secretary-General to undertake the necessary negotiations with the Reparation Commission and the Conference of Ambassadors.

In a letter of May last, the Danzig Government emphasised the importance of an early acceptance by the Conference of Ambassadors and the Reparation Commission of the proposals made by the Financial Committee stating that the financial situation of the Free City had become more difficult in view of the recent fall of the German mark.

After an exchange of correspondence, the Reparation Commission informed the Secretary-General on May 18th, 1923, that, in order to facilitate, in so far as lay within its power, the conclusion of such financial arrangements which the League might think necessary for the assistance of Danzig, it would not claim any special security from Danzig in respect of any debt due.

DOUBLE TAXATION AND FISCAL EVASION.

The Financial Committee has continued to study the problems of double taxation and fiscal evasion.

The first of these questions has been examined by four well-known economists — M. BRUINS (of Dutch nationality), M. EINAUDI (of Italian nationality), Professor SELIGMAN (of American nationality), and Sir Josiah STAMP (of British nationality). These economists met at Geneva in March 1923 and drew up a report. After examining the economic consequences of double taxation in the greatest detail, the report reviews the theoretical solutions which can be proposed to meet the difficulties arising from the double imposition of taxes.

The experts drew special attention to the fact that various solutions would have to be examined in relation to the different economic conditions of the various States, some States being in the position of creditors and others in the position of debtors, because of their general incomplete

economic development and of their need of foreign capital. The Financial Committee and the Council, however, did not confine themselves to a mere theoretical study of this important problem. In order to reach a practical solution, it was found necessary to examine the question from an administrative and governmental standpoint.

Seven European countries (Belgium, Czechoslovakia, France, Great Britain, Italy, the Netherlands and Switzerland), at the request of the Council, appointed high officials of their fiscal administrations to represent them on the Committee which met at Geneva in June 1923. These officials, taking as a basis the report of the four economists, and paying special regard to the conventions recently concluded between various countries of Central Europe, have begun to discuss what general principles could be established in regard to the question, either by means of general conventions or by bilateral agreements.

The task is one of considerable difficulty, not only for the general economic reasons to which allusion has already been made but also because of the difference existing in the fiscal legislation of various countries, the legislation of some of which is of very ancient origin and cannot be changed without considerable difficulty.

Economic interests, budget interests and difference in legislation are the points on which it is hard to reach an agreement. The delegates of the seven Governments, nevertheless, greatly desire to find a practical solution. They have drawn up a preliminary report proposing that, in regard to *impôts réels*, or scheduled taxes, the principle should be adopted of dividing the amount of income to be taxed in proportion to the extent of the business carried on in any country by the taxpayer.

They have also proposed certain general principles regarding a global tax on income and on death duties.

They have further begun an examination of the problems connected with the campaign against fiscal evasion, which is interesting public opinion in general as well as Governments. Since the Government experts, by reason of their official duties, were unable to prolong their session at Geneva, they have adjourned until October. Very considerable progress may therefore be looked for in these two difficult questions of double taxation and fiscal evasion.

ALBANIA.

Appointment of a Financial Adviser.

The Committee considered this question in accordance with a resolution passed in 1921 by the Council and the Assembly to the effect that the Council would favourably consider requests made to it by States wishing to obtain the services of technical advisers.

The Committee recommended to the Council the nomination of Mr. J. D. Hunger, lately Administrator of Batavia, in the Dutch East Indies. The Council approved this nomination and the contract of Mr. Hunger. The Financial Adviser will present a quarterly report to the Council. (See also: Political Questions: Albania.)

GREEK LOAN FOR THE SETTLEMENT OF REFUGEES.

On February 2nd, 1923, the Council requested the Financial Committee to examine the request of the Greek Government that the League should assist it to obtain an international loan of £10,000,000 sterling, for the settlement of the refugees in Greece.

On April 23rd, the Council took note of the fact that the Financial Committee was awaiting essential information from the Greek Government before making its report. The Council appointed a sub-committee, consisting of the British, French and Italian members, with authority to invite the Greek Government to add a fourth member, to receive the report of the Financial Committee and advise the Council whether the League could itself accept any responsibility or take any action in the matter.

In view of the urgent necessity of collecting accurate information regarding the financial aspects of the Greek Refugees problem, and further, in order to obtain supplementary information to the answer furnished by the Greek Government to a questionnaire sent on March 14th, M. Parmentier, a member of the Financial Committee, accompanied by a member of the Economic and Financial Section of the Secretariat, left for Athens on May 23rd to investigate on the spot and in co-operation with Dr. Nansen's High Commissariat for Refugees, for whose benefit the funds obtained by the loan will be expended, the question of the loan.

FINANCIAL PUBLICATIONS.

Particular reference should be made to the increasing and generally recognised importance of the publications of the Secretariat issued in accordance with the suggestions of the Brussels Conference in 1920: The Memoranda on Public Finance, Currency, Central Banks and Budget Expenditure in National Defence and the Monthly Bulletin of Statistics. New and enlarged editions of the Memoranda have been prepared since the last Assembly, and a special endeavour has been

made to include such countries as had previously been omitted for lack of time or information. The favourable reception has been reflected in the sale figures, the first editions of the Memoranda having been completely exhausted.

The Secretariat has also published in four volumes the results of an enquiry, which was carried out at the request of the second Assembly, into the application of the principles laid down at the Brussels Conference. The official reports received from the various countries have been prefaced by an introduction, prepared by the Secretariat, summarising the financial and monetary developments.

On the recommendation of the Committee, the Secretariat has also begun to collect information concerning commercial banks and, in accordance with the resolution of the last Assembly, is conducting an enquiry into trade balances.

In accordance with the request of the Council, the Secretariat has prepared and published a report on the economic conditions in Russia.

II. THE ORGANISATION FOR COMMUNICATIONS AND TRANSIT.

PREPARATION FOR A SECOND GENERAL CONFERENCE ON COMMUNICATIONS AND TRANSIT.

The third Assembly, in a resolution adopted on September 28th, 1922, invited the Advisory and Technical Committee for Communications and Transit to continue the work with which it had been entrusted in preparation for the Second General Conference on Communications and Transit to be held at Geneva in 1923. It further noted with satisfaction the investigations which had been undertaken by the Committee for the purpose of drawing up conventions on the international regime of railways and on the international regime of ports to serve as a basis for the discussions of the Conference.

The Council, on April 19th, 1923, decided to convene the Conference on November 15th, 1923, at the seat of the League. It instructed the Secretary-General to invite to it the Members of the League and provisionally such recognised States not Members of the League as might be admitted to take part in the Conference under the terms of Article 2 of the rules of procedure for the organisation of General Conferences on Communication and Transit.

The Secretary-General was, at the same time, instructed to communicate to the States the agenda of the Conference as prepared by the Advisory and Technical Committee and, in general, to take all necessary steps for the organisation of the Conference.

The preparatory work of the Conference was done by various sub-committees which met during the first three months of the present year and was completed at a plenary session of the Advisory Committee held at Geneva from April 23rd to April 30th.

The Advisory Committee, in plenary session, approved the text of the four following draft conventions to serve as a basis for the discussions of the Conference.

(a) *Draft Convention relating to the International Regime of Maritime Ports.*

The draft Convention for Maritime Ports stipulates that the nationals, properties and flags of all contracting States shall have free access to the maritime ports under their sovereignty, and shall be treated on a footing of absolute equality in all that concerns the use of the ports. It is laid down in particular that no distinction shall be made as between the nationals, property, or flag of any contracting State and those of the State under whose sovereignty or authority the port is situated, or of a State whose nationals, property or flag enjoy the most favourable treatment.

It is further provided that all dues and charges levied for the use of maritime ports shall be equitable and shall be duly published before being put into force, and that in the application of Customs or other analogous duties the flags of all contracting States shall be treated on a footing of absolute equality.

Various reservations and exceptions are defined in the Convention. The Convention does not, for example, cover the maritime coasting trade, and no contracting State will be bound to afford transit for passengers whose admission in its territories is forbidden or for goods of a kind of which the importation is prohibited, either on grounds of public health or security or as a precaution against diseases of animals or plants. Nor would a State be bound to permit the transport of passengers or goods whose admission is prohibited by national legislation. The Convention does not prescribe the rights and duties of belligerents and neutrals in time of war nor has it any reference to the use of ports by warships or by vessels exercising any kind of public authority.

Disputes as to the interpretation or application of the Convention would be brought before the Permanent Court of International Justice in the absence of any special agreement or general arbitration provision, but the contracting States would undertake, before resorting to any judicial proceedings, to submit disputes for an opinion to any body established by the League of Nations as the advisory and technical organisation of the Members of the League in matters of communications and transit.

(b) *Draft Convention relating to the International Regime of Railways.*

The draft Convention for the International Regime of Railways is designed to facilitate international through traffic in every possible way. The contracting States are asked to undertake to

provide for a through service between existing lines whenever the needs of international traffic so require. It is proposed to unite the frontier services in a single common station whenever possible. It is stipulated that transport facilities shall not depend on the nationality of the passengers, on the ownership or the commercial origin of the goods, nor on the flag or ownership of the vessel employed either before or after their transport by rail. The contracting States undertake to organise more favourable time-tables and better conditions for international passenger and baggage traffic, and to regulate Customs and police formalities, so that international traffic may be hindered and delayed as little as possible.

It is further provided that agreements shall be concluded between contracting States whose lines constitute a continuous system of railways of the same gauge to enable rolling-stock to be exchanged and reciprocally employed. There are also articles referring to the introduction of a single contract covering the entire journey for international traffic, whether of goods or of passengers and baggage.

It is also stipulated that the contracting States shall grant to international traffic equitable tariffs, and that the establishment of these tariffs and their application shall not depend on the nationality of the passengers, on the ownership or commercial origin of the goods, nor on the flag or ownership of the vessel employed either before or after their transport by rail.

There are exceptions and reservations defined in the Convention analogous to those contained in the Convention relating to the International Regime of Ports.

Disputes as to the interpretation or application of the Convention would be submitted for an advisory opinion to any body established by the League of Nations as the advisory and technical organisation of the Members of the League in matters of communication and transit. Disputes as to the interpretation or application of the provisions of Articles 4 (para. 2), 18, 19, 20, 21, 29 to 38 inclusive and 41 to 44 inclusive of the Convention would be brought before the Permanent Court of International Justice in the absence of any special agreement or general arbitration provision, but the Contracting States would undertake, before resorting to any judicial proceedings, to submit disputes for an opinion to any body established by the League of Nations as the advisory and technical organisation of the Members of the League in matters of communications and transit.

(c) *Draft Convention relating to the Transmission in Transit of Electric Power.*

The contracting States would undertake to settle by common agreement all matters connected with the transmission in transit of electric power across territory under their sovereignty or authority. The methods adopted to provide this transit would be based upon purely technical considerations and would not, other than in exceptional cases, take political frontiers into consideration. No special dues or charges would be levied in respect of such transit.

Disputes would be submitted for an advisory opinion to the body established by the League of Nations as the advisory and technical organisation of the League in matters of communications and transit.

(d) *Draft Convention relating to the Development of Hydraulic Power on Watercourses forming Part of a Basin situated in the Territory of Several States.*

The States concerned in the development of hydraulic power on watercourses forming part of one and the same basin would undertake to settle by common agreement all matters connected with such development. The methods adopted for this purpose would be based on technical considerations without regard to political frontiers.

The Convention provides for the appointment of commissions whose composition and power would be determined by agreement between the States concerned.

Should the safety or utilisation of the territory of States concerned, other than the State on whose territory certain works are established, depend upon the strength of these works or upon their operation, any State concerned may at any time demand the appointment of such a Commission, the main duty of which will be to see that the Conventions concluded are observed and, in urgent cases, to announce the steps which, in its opinion, should be taken.

The provisions of the Convention for the settlement of disputes are similar to those contained in the Convention for the International Regime of Railways. A contracting State may appeal to the Permanent Court of International Justice if it can prove that the development proposed or undertaken by another contracting State is calculated to prejudice its interests.

The draft conventions prepared by the Advisory Committee have been distributed to the States Members of the League and placed on the agenda of the Second General Conference

CONTINUATION OF THE WORK OF THE BARCELONA CONFERENCE.

The following States have ratified the General Convention on Freedom of Transit: Albania, Bulgaria, Denmark, the British Empire, New Zealand, India, Finland, Italy.

Thirty-two States have signed this Convention.

This Convention is at present in force and all the States represented at the Conference at Genoa announced that they intended to ratify it.

The following States have ratified the General Convention on the Regime of Navigable Waterways of International Concern: Albania, Bulgaria, Denmark, the British Empire, New Zealand, India, Finland and Italy.

Twenty-seven States have signed this Convention, which is in force and of which the ratifications are progressing normally.

Thirteen States have signed the Additional Protocol to the Convention on the Regime of Navigable Waterways of International Concern, which provides for the extension of the principle of this Convention to other waterways. Albania, Denmark, the British Empire, New Zealand and India have ratified the Protocol.

Finland has ratified the section of the Protocol referring to natural navigable waterways from the scope of which canals are excluded.

The following States have ratified the Declaration recognising the Right to a Flag of States having no Sea-coast: South Africa, Albania, Australia, Bulgaria, Canada, Denmark, the British Empire, New Zealand, India. Finland and Roumania have signified their adherence to this Declaration.

France has signed the Declaration and has notified that no ratification is necessary.

The Statute of the Danube, established shortly after the Barcelona Conference, was drawn up in conformity with the Barcelona Conventions.

The Statute of the Elbe, which has been signed, and that of the Oder, which is under preparation, were also drawn up with reference to the Conventions.

The Central Commission for the Navigation of the Rhine examined in December last the Conventions of Barcelona with a view to their application to the Rhine.

CONTINUATION OF THE WORK OF THE PASSPORTS CONFERENCE.

Fresh progress has been made in the simplification of passport formalities, as recommended by the Paris Conference of October 1920. The suppression of visas tends to become more general. The Organisation for Communications and Transit is continuing its enquiries on the subject and hopes to achieve further progress in the course of the year.

CONTINUATION OF THE WORK OF THE GENOA CONFERENCE.

The Governments represented at the Genoa Conference in 1922 recommended that the French railway administration should convene as soon as possible a conference of technical representatives of all the railway administrations of Europe and other interested countries.

The third Assembly, on September 28th, 1922, duly noted the decisions of the Genoa Conference and drew the attention of the Council to the fact that it was desirable to arrange for the representation of the Organisation for Communications and Transit at the Conference of Railway Administrations.

A representative of the Organisation for Communications and Transit accordingly attended the Conference of Railway Experts which met at Paris in December 1922.

At this Conference, the European railway administrations established an International Railway Union. The statutes of the Union provide for the attendance at its regular conferences of representatives of the Advisory Committee on Communications and Transit. In general, the League Organisation will act as a co-ordinating intermediary between international associations concerned with special aspects of the transport question, and as an investigating agency for questions in which Governments are interested raised in connection with work undertaken by the International Railway Union or any such technical non-Government institution.

The Advisory Committee has worked out a scheme for continuous liaison with the technical administrations concerned, which, under the budgetary provisions of the Assembly, may be brought into operation in the course of the year.

It should be noted that the Genoa Conference recommended that the competent technical organisation of the League should examine from time to time the progress realised in the execution of the proposals adopted at Genoa and should, if necessary, convene special meetings of experts with the assent of the interested States for this purpose. A first enquiry is now taking place, the results of which will be submitted in a general report to be considered by the Transit Committee before the fourth Assembly.

SETTLEMENT OF THE RAILWAY DISPUTE BETWEEN THE SAAR BASIN GOVERNING COMMISSION AND THE GERMAN GOVERNMENT.

The Advisory and Technical Committee for Communications and Transit, at its meeting on August 30th, 1922, appointed a Commission of Enquiry to examine the difficulties which had arisen between the Saar Basin Governing Commission and the German Government with respect to the application of the International Convention of Berne (the Transport of Goods by Rail) of October 14th, 1890. This action was taken at the request of the Council, as provided for in Article 7 of the Rules for the Organisation of the Advisory and Technical Committee as laid down at the Barcelona Conference.

The Committee appointed was as follows:

M. HEROLD,	Director of the Railways Section at the Federal Railways and Postal Department at Berne; Chairman of the Sub-Committee for Transport by Rail of the Advisory and Technical Committee; <i>Chairman.</i>
Mr. MARRIOTT, C.B.E.,	Assistant to General Manager of the London and North-Western Railway Co.
M. RUUD,	Commander, Chief of Division, Norwegian State Railways Administration.
M. VOGEL,	Geheimer Oberregierungsrat und Vortragender Rat im Reichsverkehrsministerium, assisted by M. Voigt, vom Auswärtigen Amt. <i>Designated by the German Government.</i>
M. COURTILET,	Director of Railways, Posts and Telegraphs of the Saar Basin Territory. <i>Designated by the Governing Commission of the Saar Basin Territory.</i>

The Committee met at Luxemburg on November 23rd and 24th, 1922, and within two days succeeded in arriving at a draft agreement to be submitted to the German Government and the Saar Basin Governing Commission. The draft agreement in question was found to be acceptable to the two parties and was subsequently ratified.

III. THE HEALTH ORGANISATION.

CONSTITUTION OF THE PERMANENT HEALTH ORGANISATION.

It had been the intention of the first Assembly to make the already existing Office international d'Hygiène publique the basis of the new League Health Organisation. The Office international is independent of the League and was in existence before it. It has a membership of 39 States and its seat is at Paris. The first Assembly wished to model the Health Organisation on the general plan of the League itself, that is, with a conference (corresponding to the Assembly ; in this case the conference would have been the Office International, but with enlarged membership and wider powers), an executive committee (corresponding to the Council) elected by the conference, and a secretariat, which should form a section of the Secretariat of the League. But the United States is a member of the Office international, and the United States opposed this suggestion. As a result, the constitution of the Health Organisation was postponed for a time. Meanwhile, in June 1921, the Council had appointed a Provisional Health Committee, most of the members of which were also connected with the Office international d'Hygiène publique. This enabled the Health Committee of the League to co-operate with the Office international, the latter body to some extent fulfilling the functions of a general conference.

A further step in the development of the Health Organisation was taken by the third Assembly (September 1922), which considered that it might be possible, before the meeting of the fourth Assembly, to prepare, on the basis and according to the principles adopted by the first Assembly for the Technical Organisations of the League, the constitution of a Permanent Health Organisation, which will be submitted to the fourth Assembly for approval. On the basis of this resolution, the Council, at its session in January 1923, decided to invite the members of the Health Committee and the Committee of the Office international d'Hygiène Publique to form a special Mixed Committee to prepare for the fourth Assembly a scheme for the constitution of the Permanent Health Organisation. The Health Committee appointed five of its members to serve on the Mixed Committee. The Mixed Committee prepared a scheme which was approved by the Health Committee during its session held in June 1923 and subsequently transmitted to the Council.

THE WORK OF THE HEALTH ORGANISATION.

Intelligence Work.

The Health Organisation serves as a clearing-house for epidemiological intelligence and a central agency for collecting information on special health questions of international concern; both are activities which, obviously, in view of their world-wide scope, no national health administration can undertake.

(1) *Epidemiological Intelligence.*

The epidemiological intelligence and public health statistics collected and distributed through the Health Section of the League Secretariat are examples of this work. It has recently been possible to plan the work of epidemiological intelligence on a larger scale owing to an agreement concluded with the International Health Board of the Rockefeller Foundation, by which

the latter contributes a sum of \$32,840 a year for five years toward the maintenance of the Health Organisation's Epidemiological Intelligence Service, and the sum of 115,000 francs has been provided for this service in the draft budget for 1924. Under the above agreement, the work to be undertaken includes:

- (a) Study of the simplest and most reliable methods of obtaining information regarding the incidence of disease and the progress of epidemics.
- (b) Comparative study of public health statistics of different countries.
- (c) Study of the world distribution of particular diseases.
- (d) Comparative study of the incidence of particular diseases in different countries and their public health statistics, with a view to determining the nature and practical significance of observed differences between them.
- (e) Study of the periodicity of epidemics and the factors which cause or influence such periodicity.
- (f) Organising, with the concurrence of the public health administrations of the countries affected, missions of enquiry regarding the development of epidemics, or for other purposes referred to in the preceding paragraphs.
- (g) The publication and distribution of special reports and periodical bulletins.
- (h) A review of the public health of the principal countries of the world, with a view to the issue, if circumstances permit, of reports on the subject as a whole.
- (i) Organising a rapid interchange of information in regard to particular diseases in cases in which immediate action appears to be necessary.
- (j) The employment at headquarters or elsewhere of experts provided with requisite assistance and technical equipment.

As in all other branches of the Health Organisation's work, the aims of the Epidemiological Intelligence Service are severely practical and are directed towards providing National Health Administrations with the information most helpful to them in their work. As regards method, the general system followed is that a small body of experts at Geneva checks and collates the results of studies and enquiries and publishes general bulletins, while the actual investigations are undertaken mainly by experts in their respective countries, by existing national medical institutes and other technical agencies. At present the Health Section is issuing reports on the epidemiological situation of various countries, chiefly in Eastern Europe, at regular and short intervals and, in order further to complete the information thus sent out, an *Epidemiological Intelligence Bulletin* is also issued periodically. This Bulletin contains current statistics and charts on the incidence all over the world of Asiatic cholera, typhus, relapsing fever, dysentery, smallpox, anthrax, scurvy, etc. The information thus gained is analysed and certain general conclusions are drawn. Special reports are also prepared from time to time, as, for example, the report on the sanitary condition of Russia, issued in September 1921 as the result of investigation on the spot.

The Health Committee, at its sixth session in May-June 1923, approved the above programme as well as the systematic publication of the epidemiological intelligence of the different countries. It was hoped that this information would serve as a basis for a further and more detailed study of the best methods of obtaining and circulating epidemiological intelligence and public health statistics.

(2) *Information on Vital Statistics and the Organisation of Health Administrations.*

The Health Section of the Secretariat has begun to collect information from the national health administrations on the methods by which vital and public health statistics are compiled and on the organisation of the actual Health Administration. The object of this enquiry is to obtain information that may be digested into reports for circulation to the health administrations, thereby enabling them to gauge more accurately the significance of information received from other countries, as well as to organise more effectively co-ordination between the administrations in such matters as notification of diseases, preparing international conventions, enquiries or other collaboration on specific points, etc.

(3) *Enquiry in the Eastern Mediterranean and Black Sea Ports.*

Another scheme started on the initiative of the Health Committee and belonging to this same group of its activities was the despatch of a Commission to the Eastern Mediterranean and to Black Sea ports to enquire into international arrangements regarding the prevention of epidemic diseases in the Near East. The war has broken up an area which was formerly under one health administration and has greatly disorganised other health administrations. Moreover, conditions have changed greatly in matters of first importance from the point of view of health work. For instance, the annual pilgrimages to the Moslem Holy Places in Palestine and the Hedjaz used to be undertaken largely by water, but now they are more and more being conducted overland by rail and road.

The result is the urgent necessity of revising the International Sanitary Convention concluded at Paris in 1912, in order to meet the altered conditions.

A revised draft of the first part of this Convention has already been prepared by the Office international d'Hygiène publique with the object of including typhus and relapsing fever in the

Convention and of providing more thoroughly for the application of sanitary measures to land traffic. The Commission of Enquiry, which was sent out in full agreement and after preliminary understanding with the Office international d'Hygiène publique, made a thorough investigation of the whole position and drew up a report to the Council, suggesting a revised text for Parts II, III and IV of the Paris Convention, as well as a number of special measures designed to unify and improve health control in the areas of: (1) Egypt and the Suez Canal; (2) the Arabian Peninsula, Palestine and Syria; (3) Constantinople and the Black Sea ports. The report furthermore emphasised the need for an International Sanitary Committee, under the auspices of the Council, to co-ordinate the work of the public health authorities throughout the Near East.

(4) *Enquiry into the Diseases in Tropical Africa.*

A further enquiry undertaken by the Health Committee concerned the incidence of sleeping sickness and tuberculosis in Equatorial Africa, where the war gave rise to an increase of disease and a relaxation of control. For the purpose of this enquiry, the Health Committee appointed a Committee of Experts from the three countries—Belgium, France, Great Britain—having colonial interests in tropical Africa. The findings of this Committee will serve as the basis for the action recommended by the Health Committee on the subject.

(5) *Enquiry in Far-Eastern Ports.*

On November 3rd, 1922, the Health Committee, at the suggestion of its Japanese member and with the approval of the Governments concerned, sent a small mission on a six-months journey of investigation to the chief ports in the Far East for the purpose of studying the various sanitary, anti-epidemic and quarantine regulations, with particular attention to the necessity for preventing the spread of diseases by sea-borne traffic. The object of collecting this information is partly that this is useful in itself and partly that it may serve as the basis for a conference between the Powers concerned for co-ordinating and improving sanitary and anti-epidemic measures throughout the Far East. This is important, for, although temporarily over-shadowed by the fresh giant source of land-borne infection from Russia, sea-borne diseases coming from the Far East have been the main enemy of sanitary authorities all over the world.

Applied Research Work.

The second group of activities conducted through the Health Organisation may be defined as applied research work, that is, the initiation of laboratory investigations conducted simultaneously and on the basis of a common plan by leading institutes all over the world, and directed towards securing the practical application of the results of this research. The Health Organisation cannot finance pure research work; it confines itself to facilitating the application of the discoveries already made.

(1) *Sera and Serological Tests.*

One set of modern discoveries of great and increasing importance in modern therapeutics are the great discoveries in the domain of immunisation, that is, the production of anti-toxic sera and the sero-diagnosis of syphilis. In order to utilise fully these discoveries in both curative and prophylactic medicine, as well as to facilitate the further development of this branch of science, the need for international agreement on various methods of measuring and testing the potency of anti-toxins has long been realised. Hitherto these methods have varied not only in different countries but sometimes even in different laboratories in the same country, and the differences have been on fundamental principles, as well as on points of mere detail. Consequently it has often been impossible to check the accuracy of contradictory information about the efficacy of some serum, because it was not possible to compare the units employed in each case. The same confusion and difficulties were confronted in the sero-diagnosis of syphilis, the value of which does not consist solely in the fact that it facilitates the discovery of infection but also in that it increases the curative possibilities of salvarsan taken in time and sheds light on the success of the treatment. Here, too, the great variations in method have brought about differences in results that interfere with diagnosis and make the fight against this scourge more difficult.

For all these reasons some method of standardising internationally the units and methods employed had long been considered desirable, and many attempts were made before the war to achieve this end. These efforts, however, had always broken down owing to the difficulty of securing sufficiently close and prolonged co-operation between a sufficient number of laboratories and research institutes. After the war the difficulties appeared even greater, but it was found possible to overcome them through the agency of the Health Organisation.

In December 1921 the Health Organisation held a Conference in London on the Standardisation of Sera and Serological Tests, as the starting-point of a general enquiry undertaken conjointly with the Office international d'Hygiène publique. The State Health and Serological Institutes of Austria, Belgium, Denmark, France, Germany, Great Britain, Italy, Japan, Poland, Switzerland

and the United States of America took part in the preliminary conference, which drew up a programme of enquiry and research to be carried out by different laboratories and centralised in the Copenhagen Serological Institute, acting as a clearing-house for all the work.

From September 25th to 27th, 1922, a meeting of a Sub-Committee on anti-tetanus and anti-diphtheria sera was held at Geneva, attended by representatives of the State epidemiological laboratories of Denmark, France, Germany, Great Britain, Italy, Japan, Soviet Russia and the United States, at which the anti-toxic unit for diphtheria was re-established and an international unit proposed for tetanus serum.

The results of the work on anti-pneumococcus and anti-dysentery sera, as well as the sero-diagnosis of syphilis were examined and a further programme of research work adopted at a second general conference held at the Pasteur Institute in Paris from November 20th to 26th, 1922. This conference not only marked a fresh and successful stage in the long cumulative process which all research work entails but showed how the basis of this work is widening as it proceeds, for at this second conference State Health Institutes from Austria, Belgium, Denmark, France, Germany, Great Britain, Japan, Poland, Roumania, Russia, Switzerland and the United States were represented.

(2) *Biological Products.*

In connection with the work on biological products, a proposal was discussed at the fifth session of the Health Committee held in January 1923 to apply similar methods of co-ordinating international research to the standardisation of certain biological products used as very powerful drugs, such as digitalis, pituitary and thyroid extracts, insulin (the anti-diabetic hormone of the pancreas), etc. These products are variable and unstable chemically and their therapeutic properties bear no constant relation to their chemical composition. It is therefore generally necessary to standardise these preparations physiologically, that is, by the effect on a particular animal of a dose of standard size, or some similar method. Here again the methods in use in different countries vary widely, and international agreement on some form of testing and standardising these drugs would be desirable. This would be of peculiar importance in the case of insulin, for this drug has clearly a very important medical future, while the recent date of its discovery means that as yet no "vested interest" in any particular form of standardising unit doses has yet arisen that would make more difficult the achievement of international agreement on this subject.

A technical conference for the study of the problem of the standardisation of biological products will be held at Edinburgh on July 19th, 1923.

Executive and Co-ordinating Work.

The third group of activities conducted through the Health Organisation is directed toward making that organisation the agent for developing mutual understanding between the health administrations of different countries, initiating bilateral or general agreements between these administrations for specific purposes, and executing the common policies decided on by the national administrations at inter-governmental conferences.

(I) *Work of the Epidemic Commission.*

The first example of this kind, and one of the first health problems with which the League had to grapple, was the question of epidemics in Eastern Europe. In order to meet it, the Epidemic Commission was set up as a temporary organisation by the Council in May 1920. The task of the Commission was to prevent the spread of epidemics in Eastern Europe, and it was decided that this should be carried out on the lines recommended by the Health Conference by the Council in London and which met from April 14th to 17th, 1920. The chief measures suggested by this Conference comprised:

- (a) The organisation of quarantine stations;
- (b) The equipment of hospitals;
- (c) Measures for cleansing and disinfecting;
- (d) Supply of food, clothing, soap, motor transport, and similar necessities.

The work of the Commission, which still continues, represents a first experiment in international sanitary co-operation on a large scale. The funds for the work are derived from contributions received from Governments in reply to appeals made by the Council and by the first, second and third Assemblies. Certain donations have also been made by the League of Red Cross Societies. Hitherto £205,000 have been raised: These funds were in the first place used for work in Poland. Later the Commission extended its activities to Russia and Latvia, and in May 1922 an agreement facilitating the work of the Commission in Russia was drawn up between the Epidemic Commission and the Soviet authorities, and the Commission opened offices in Kharkov and Moscow.

In the autumn of 1922, following upon the war in Asia Minor, a great stream of refugees began pouring into Greece. The number quickly reached one-fifth of the total population of

Greece and continues to increase. Most of the refugees reached Greece in a state of destitution and under conditions permitting of no sanitary control whatever. The Council, acting on an urgent resolution of the Assembly, which was then in session, appointed Dr. Nansen as its High Commissioner for Refugees, and appeals for assistance were issued by the third Assembly; to these some of the Governments there represented responded almost immediately by offers of money. Of these monies Dr. Nansen, at the request of the Greek Government, assigned £5,000 for sanitary purposes. The Greek Government thereupon requested the help of the Epidemic Commission, and three of its members were sent to Greece. One of these members has since acted as technical adviser to the Greek Government and has inspected all the refugee camps on the mainland and on the islands. A second member of the Epidemic Commission, acting again at the request of the Greek Government and in collaboration with a committee for the combating of epidemics set up by the Greek Health Ministry, organised a preventive vaccination campaign among the refugees, using for the purpose the £ 5,000 assigned for medical purposes by Dr. Nansen, as well as some of the remaining funds of the Epidemic Commission. Some eighty Greek doctors, medical students and inspectors of hygiene were recruited, divided into ten vaccination columns and distributed among the refugee camps, which, for administrative purposes, are divided into two zones, with centres respectively at Athens and Salonica. Up to April 1st, 1923, some 1,674,585 vaccinations have been effected against smallpox, cholera and typhoid fever. This number, however, represents only some 60 % of the total number of refugees, and new refugees are ceaselessly pouring in from Constantinople and Asia Minor.

Even if sufficient funds are available to carry out the vaccination campaign on a decisive scale, the problem will remain of stamping out malaria (which is endemic in Greece and finds very fertile soil in the refugee populations) and of organising an effective public health system. These questions form part of the general problem of assimilating the vast and destitute refugee population — a tremendous problem that the Greek Government is now facing and for which it requires financial aid. For this purpose the Greek Government applied to the Council to lend its moral support in the raising of a loan of £10,000,000 for the settlement of refugees, and the Council has instructed the Financial Committee of the League to study the nature of the problem with a view to ascertaining what sort of guarantees would make it possible for Greece to float a loan for this specific object. If it becomes possible to raise such a loan, the work of absorbing and settling the refugee populations can be approached in earnest, and it is possible that in this connection the Health Committee may be called upon to give its technical advice for the solution of the two principal public health problems that confront Greece to-day.

The Health Committee, during its sixth session held in May-June 1923, took note of the useful work done by the Epidemic Commission. The Committee was of the opinion that recent experience in Greece, together with the experience of the Epidemic Commission since its inception, demonstrated that, if the Commission were to be placed in a favourable position to deal with unexpected risks of spread of infection arising from sudden calamities or disasters affecting large populations, it should at least have some funds, not necessarily large, which could be drawn upon for immediate use when these conditions arose. The Health Committee also decided to ask the Council to consider fully and favourably any proposal which would ensure that a small fund is kept by the League at the disposal of the Commission for emergency work to be utilised for the prevention of the spread of epidemic diseases in exceptional instances where such measures are suddenly called for alike in the interests of the public health of the world and for strengthening the public health organisations of countries which may require immediate assistance.

(2) *Action taken on the Resolutions of the Warsaw Health Conference.*

The Warsaw Health Conference convened by the Polish Government¹ for March 20th, 1922, with the collaboration of the Health Organisation of the League, came to the conclusion that there could be no economic reconstruction in Eastern Europe until the menace of epidemics had definitely been disposed of, just as the Panama Canal could not be constructed until yellow fever had been eliminated. A comprehensive plan for a health campaign was prepared to include not only the strengthening of the sanitary defences of the border States but a vigorous effort to stamp out epidemics at the heart in Russia. To bring the task within practicable dimensions, it was proposed that an attempt should first be made to establish sanitary centres at some of the most important railway junctions and to "clean up" some of the big towns. The plan also provided for an anti-epidemic campaign in the Donetz basin, which is vitally important for the economic life of Russia owing to its iron and coal deposits and which, at the same time, was a typhus and cholera centre, a famine area, and easily accessible from several Black Sea ports.

It was estimated that the carrying-out of this plan would cost about £1,500,000. The Health Committee was designated by the Conference as the executive organ for carrying out the whole scheme, with the proviso that it must include representatives of all the States interested. By this it was intended that German and Russian delegates should serve on the Committee. The Russian and Ukrainian delegations passed a minority resolution asking that a special international commission should be formed to act as an executive agent (since then, it will be noted, a German member has been added to the Health Committee and an arrangement has been concluded with Soviet Russia (see below). The plan proposed by the Warsaw Conference was then submitted to the Genoa Conference, which at that time was engaged in discussing the economic reconstruction of Europe. The Genoa Conference approved the findings of the Warsaw Conference and its members

¹ See "Records of the Third Assembly, Plenary Meetings", Volume II, page 64.

undertook to solicit from their respective Parliaments the necessary funds. Hitherto, however, the funds have not been forthcoming, and it would appear that the interdependence of economic reconstruction and a large-scale health campaign is interpreted to mean that both must wait for political agreement between the countries concerned.

On the other hand, the second and third proposals of the Warsaw Conference bore immediate fruit. The first of these proposals was to strengthen the medical personnel of Russia and the border States by organising courses in Warsaw, Moscow and Kharkov for the training of public health officials in combating epidemics. The money for this undertaking was provided by a donation of £5,000 from the League of Red Cross Societies. The first course, which was started in November 1922, was completed three months later, and fresh courses were organised forthwith. In each case the teaching staff was mostly composed of local doctors of distinction, but, in addition, a Roumanian, a German and a British expert acted as lecturers at the first course. For the second course five eminent foreign specialists were engaged. There were also exchanges between the Polish and Russian lecturers. The need for trained personnel in Eastern Europe, particularly in Russia, has been very keenly felt in view of the prevalence of disease and the unsettled conditions which have for several years interfered with the training of doctors. As a sort of material basis for these courses, sanitary museums have been set up in the three centres of instruction, with specimens or models illustrating the various phases of anti-epidemic work.

The third proposal of the Warsaw Conference, which was also immediately put into effect, was that a series of conventions should be concluded between the various border States of Russia themselves and between the border States and Germany, Czechoslovakia, Hungary, Austria, the Kingdom of the Serbs, Croats and Slovenes, Bulgaria, etc. A number of such conventions have already been concluded and others are being negotiated. These conventions are designed to strengthen the sanitary defences of the States concerned and to promote closer collaboration between their respective health administrations. The conventions deal with the exchange of information about the incidence of disease, prompt notification, exchange of publications, etc.; they define what constitutes infected districts and what measures should be taken to prevent the spread of disease; they define also the measures to be taken on land and water frontiers respectively as regards persons, baggage, goods, train, road and boat transport; measures such as inspection, disinsecting, surveyance, observation, quarantine stations and other special measures in frontier zones, etc.

The conventions include three new departures: The first is that the health administrations notify each other directly of ascertained or suspected cases of disease, instead of, as formerly, through diplomatic channels. Copies of the information thus sent are, however, communicated to the diplomatic representative of the State receiving it and to the Foreign Office of the State sending it, as well as to the Health Section of the League Secretariat (which constitutes the second new departure). The third new departure is that most of these conventions contain a provision that, in case of differences regarding the interpretation or application of the conventions, the contracting Powers, if unable to arrive at a direct agreement, shall resort to the Health Organisation of the League as mediator.

By an arrangement concluded with the Soviet Russian Delegation at the Genoa Conference, the members of the Health Committee, together with a delegate from the Central Health Authorities of Soviet Russia, constitute a special international commission for discussing the anti-epidemic campaign as it affects Russia.

This special international commission met at Geneva in January 1923, and Dr. Siemashko, Russian Health Commissioner, attended. One of the most important results of the deliberations was the appointment of an expert to collaborate with Russian scientists in carrying out a test as to the reliability of intestinal vaccination. Sir William Leishman, who was invited to take up this work, has accepted the invitation. Further, Professor Zinsser, of Harvard University (United States), has gone to Moscow for six weeks to assist in this work. The experiments were begun in May 1923, both in the army and amongst the medical staff and railway officials.

(3) *Collaboration with International Organisations and Organisations of the League.*

The League of Red Cross Societies is represented on the Provisional Health Committee. Moreover, the Health Committee, at its sixth session, held in May/June 1923, decided to entrust Surgeon-General Cumming, Chief of the United States Public Health Service, and Dr. Chagas (Brazil) with the duty of maintaining liaison between the Health Committee and the Pan-American Health Bureau.

The Health Committee, during its sixth session took cognisance of the resolution of the Council adopted on April 19th, 1923, and noted a memorandum from the President of the World Dairy Conference which is to be held at Washington. It decided that the communications of the experts at the Conference, obtained through the members of the Health Committee, should be addressed direct to Dr. Cumming or to the Health Section of the Secretariat of the League.

The International Labour Office is also represented on the Provisional Health Committee, and the Health Organisation collaborates with other organisations of the League in advisory and preparatory work, generally undertaken at the request of the Council, for example, with the Opium and Transit Committees and the Permanent Mandates Commission. With the International Labour Office it has collaborated in the study of anthrax and other diseases of industrial importance. It appointed a joint Sub-Committee with the Opium Committee of the League for conducting an enquiry as to the quantities of opium and other dangerous drugs needed for legitimate consumption annually in each country. A third example of this kind of co-operation

was the appointment by the Health Committee and the Transit Committee of a joint Sub-Committee to study the question of establishing certain minimum standards for the health administration of waterways. The war, by setting up many new States and altering frontiers, has multiplied the number of international waterways in Europe. At the same time the epidemic condition of Russia and general post-war conditions make it doubly necessary that there should be effective measures against the spread of infectious diseases along waterways. For this purpose the joint Sub-Committee laid down certain principles regarding the duty of the Health Administrations of riparian States to notify promptly and frankly the existence of disease, to avoid obstructing commerce and circulation by burdensome charges or restrictions, while maintaining a reasonable level of efficiency, etc. The Health Committee had collected information bearing on these points which had served as a technical basis for preparing a draft international convention for the sanitary control of the traffic on the waterways; this draft convention is to be submitted to the Mixed Sub-Committee of the Health and Transit Committees for examination.

(4) *Interchanges of Public Health Personnel, and Individual Fellowships.*

The clearest instance of how the Health Organisation can be instrumental in bringing about mutual understanding between national health administrations is afforded by the system of interchanges of public health personnel that was started in October 1922. It has been possible to undertake this work largely owing to the generosity of the International Health Board of the Rockefeller Foundation, which contributes \$60,080 a year for three years to the League funds for the purpose. With the help of these funds the Health Committee has organised a system of visits, including lectures, observations and practical work, for medical officers of health wishing to study the way in which health problems are dealt with in foreign countries.

For the first interchange of sanitary staff there was a two-months course (October 9th to December 17th, 1922) in Belgium and Italy for a selected number of health officials, followed by a stay of a few days at Geneva. In both Belgium and Italy the public health officials taking the course were given a series of lectures in the respective capitals by the heads of the health services, and this was supplemented by visits to hospitals, asylums, crèches, reservoirs, aqueducts, drainage and sewage systems, bacteriological laboratories, local and central administrations — in a word, a first-hand view of all the machinery for preserving health and combating disease in a modern State. This theoretical course of study and observation was followed by a period of actual apprenticeship to the health services of the countries concerned, and for this purpose the officials taking the course were scattered all over the country they were visiting.

Thus these officials — 2 from Austria, 2 from Belgium, 1 from Bulgaria, 2 from Czechoslovakia, 4 from Italy, 5 from Poland, 5 from Soviet Russia and the Ukraine and 2 from the Kingdom of the Serbs, Croats and Slovenes — gained a good working knowledge of the sanitary administration of two West European countries and forged a number of enduring personal links, both with each other and with important members of the health services of the countries they visited. During the last few days of the course they assembled at Geneva, where they all presented reports, gave their individual views, and engaged in discussion on what they had seen and what practical bearing their experiences might have on the organisation of future courses. They were also taken over the League Secretariat, brought into touch with its leading members, and given a series of lectures on the nature, organisation and work of the League, with special reference to the Health Organisation, its history, constitution and achievements, its relations to Governments and national health services, and to the rest of the League machinery.

On February 25th, 1923, a second interchange was started in England and lasted seven weeks in that country followed by five weeks in Austria. The 30 officials taking this course were drawn from the Health Administrations of Austria, Belgium, Czechoslovakia, Denmark, Finland, France, Great Britain, Hungary, Italy, Japan, Norway, Poland, Roumania, Russia, the Kingdom of the Serbs, Croats and Slovenes, Sweden and the United States. This interchange took place under the auspices of the British Ministry of Health and was organised by the Society of Medical Officers of Health. After a week of general lectures given in London, the participants in the interchange were scattered in groups of four in several of the most important centres in the provinces for a period of practical apprenticeship and observation with the local health authorities. This stage lasted four weeks, after which the participants reassembled in London for a study of the sanitary organisation of the port and an exchange of observations on the experience gained, as well as a final conference under the guidance of the leaders of the British Public Health Service. The second half of the interchange in Austria followed the same lines, except that a tour of the country for a visit to all the most important health centres took the place of the practical work. On the completion of the interchange, the officials were again assembled at Geneva, where they were taken over the Secretariat of the League and the Labour Office, and generally made familiar with the working of the League's machinery, particularly the Health Organisation.

The third interchange took place in Italy from May 21st to June 12th. The object of this interchange was somewhat different, as it was not for general officers of health wishing to study the whole sanitary organisation of a country but was intended solely for specialists in malaria. As this disease is endemic in Italy, the Italian Health Service has developed its methods to a very high state of perfection. Consequently, the officers taking part in this course were all specialists, and the course itself was concerned exclusively with a theoretical exposition followed by visits and a practical demonstration of how malaria is fought in Italy. The countries taking part in this interchange were Albania, Bulgaria, Germany, Greece, the Netherlands, Poland, Portugal, Russia, Kingdom of the Serbs, Croats and Slovenes, Spain and the United States.

Russia, Greece and Albania were particularly interested in this interchange, since the fighting of malaria is a serious problem in these countries.

A fourth interchange, is planned for 1923 and will also be for specialists, on this occasion bacteriologists and laboratory assistants engaged in laboratory work on medical subjects. In this case it is proposed to conduct an interchange in the true sense of the word, that is, to send, for instance, a worker from the Institute of Tropical Medicine in London to the Institute of Tropical Medicine in Holland and *vice versa*. The laboratories and bacteriological institutes of the following twelve countries will take part: Belgium, Czechoslovakia, Denmark, France, Germany, Great Britain, the Netherlands, Italy, Poland, Russia, Kingdom of the Serbs, Croats and Slovenes and the United States. The number of bacteriologists participating in the interchange is nineteen.

A further general interchange will begin next September in the United States, and, in addition, the Health Committee has organised a system of individual fellowships by which one or two medical officers of health wishing to study some practical problem in the prevention of disease or general sanitary work can, on complying with the conditions laid down by the Health Committee and with its approval, visit any given country to study the subject and can draw a certain stipendium from the Health Organisation for the purpose. It is expected that these individual fellowships will be particularly useful to Far Eastern countries, which obviously cannot avail themselves so extensively of the collective interchanges.

The purpose of all this work is not only the direct practical value to the participants of gaining specific knowledge of their subjects but largely also to help build up an *esprit de corps* and traditions and habits of co-operation and mutual helpfulness between all the national health administrations, which, in view of the growing interdependence of the modern world, are bound to work together more and more frequently and more and more closely

11.

HUMANITARIAN QUESTIONS.

I. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS:

WORK OF THE ADVISORY COMMITTEE.

The Resolutions of the Third Assembly.

On September 19th, 1922, the Assembly adopted five resolutions regarding the traffic in opium and other dangerous drugs.

The first resolution expressed the view that the import and export certificate system was the most practical means of controlling the traffic and the belief that international action alone could make this system a success. The Governments were urged to adopt it without delay.

In the second resolution it was suggested that the Governments parties to the International Opium Convention of 1912 should agree not to issue licences for the import of opium or other drugs covered by the Convention from any country which had not ratified or put into force the Convention and which had not adopted the system of import and export certificates. It was further stated that the Assembly considered the question both important and urgent but that, being of a complicated and technical nature, the Advisory Committee should examine it in detail before any definite action was taken.

In the third resolution, all Governments were urged to inform the Advisory Committee of the amount of drugs required for the internal consumption of their countries, since this was the first step necessary in dealing with the limitation of the world's supply of dangerous drugs.

The fourth resolution emphasised the view that, as long as the drugs to which Chapter III [medicinal opium, morphine, cocaine, heroin, etc.] of the International Opium Convention applied were produced in quantities exceeding legitimate requirements, there was a danger that the surplus would find its way into illegitimate channels and that the control of production so as to limit it to the amount required for legitimate and medical purposes was the most effective method of putting a stop to illicit traffic. The Assembly recommended that the enquiry into the world's legitimate requirements should be pressed forward as rapidly as possible and hoped that a provisional estimate would be submitted to it in September 1923.

The fifth resolution contained a recommendation that the Council should invite the Government of the United States to nominate a member to serve on the Advisory Committee.

Action taken by the Council in September 1922.

On September 26th, 1922, the Council noted the Assembly's resolutions and instructed the Secretary-General to arrange with the Chairman of the Advisory Committee for an early meeting of the Committee. The Council called special attention to the Assembly's recommendation that Governments parties to the International Opium Convention should be asked to agree not to issue licences for the export of opium or the other drugs covered by the Convention to any country which had not yet ratified or put into force the Convention or adopted the system of import and export certificates. The Council further instructed the Secretary-General to invite the Government of the United States to nominate a member to serve on the Committee.

Fourth Session of the Advisory Committee.

The Advisory Committee held its fourth session at Geneva from January 8th to 14th, 1923, and submitted a report, which was considered by the Council on February 1st, 1923.

The Committee noted with regret that the Government of the Kingdom of the Serbs, Croats and Slovenes had not sent a representative in accordance with the invitation of the Council and the Assembly. The United States of America sent a representative to attend the meetings of the Committee in an unofficial and advisory capacity.

Import and Export Certificates and the Convention of 1912.

The Committee carefully considered the second resolution of the Assembly to the effect that Governments parties to the International Opium Convention should be asked to agree not to issue licences for the import of opium or the other drugs covered by the Convention to any country which had not ratified or put into force the Convention or which had not adopted the import and export certificate system.

The Committee noted that among the States which had not adhered to the Convention were Argentine, Persia, Switzerland and Turkey, and that among the Members of the League which had not adopted the import certificate system were Brazil, France, Hungary, Portugal, Roumania, the Kingdom of the Serbs, Croats and Slovenes, and Spain.

The Committee reiterated its opinion that, in order to obtain an effective control over the traffic in dangerous drugs, the fullest international co-operation was necessary and that the import certificate system was the most satisfactory method so far suggested by which that co-operation could be secured. A State which stood outside that system, and, still more, a State which stood outside the Convention, hindered, if it did not altogether defeat, the realisation of the aims of the International Opium Convention.

Some members of the Committee urged that the system would not produce the results desired, would create a monopoly for certain countries, would lead to an increase in smuggling, might even tend to increase the production of the drugs, and would create a group of countries which would be prevented from trading with countries which had adopted the method but which would not be prevented from trading among themselves. Finally, the resolution might have the effect of depriving countries which adopted it from obtaining important medical necessaries. It was argued that, as Turkey and Persia were outside the Convention, the effect of the resolution would be in practice to give India a monopoly of the supply of opium for export. Further, Turkey and Persia would not decrease their production, while India would have to increase her own in order to meet the demands which had hitherto been supplied by Turkey and Persia. The restriction placed on trade would have the effect of increasing prices and would make smuggling even more profitable than it was at the moment. It would also increase the difficulties connected with the gradual and effective suppression of the use of prepared opium. Other members of the Committee were of the opinion that, although an attempt to increase production might follow if the resolution were adopted, the loss of its regular markets by a country where the production of raw opium was a staple industry would inevitably be followed by a rapid decrease in production.

With regard to the monopoly which might be created to the advantage of India, it was pointed out that the amount of opium required for the manufacture of drugs for medical and scientific needs was only a comparatively small percentage of the world's production of opium and that opium of high quality and in considerable quantities was produced by other countries, for example, Greece and the Kingdom of the Serbs, Croats and Slovenes. These countries would, be able to compete with India without difficulty in the open market. The representative of India stated that perhaps his Government might be willing to give an undertaking not to increase the present price at which it was selling raw opium to other Governments if by so doing the effective carrying-out of the Assembly's resolution could be secured. Although it was hypothetically possible that, if the system proposed by the Assembly were adopted, States might deprive themselves of medical preparations obtainable only from countries standing outside the Convention and the import certificate system, it was pointed out that the difficulty might be met, if it were serious, by a modification of the Assembly proposal.

With regard to the fear that the proposal would lead to an increase in illicit traffic, it was urged that this traffic was already flourishing and that the object of the proposal was to make it more difficult. It was pointed out that, even if the first effect of the proposal might be to encourage the smugglers, it was only by the completion of a chain of international control, which the Assembly's proposal was designed to secure, that the illicit traffic could be effectively suppressed.

The Committee decided to postpone taking a final decision regarding the Assembly's resolution until the following session (May 1923).

Adhesions to the Convention of 1912.

The Committee was informed that Turkey seemed to be considering the question of adhesion to the International Opium Convention and that the Persian Government proposed to submit at an early date to the Persian Parliament the question of the ratification of the Convention without reservation.

The Committee noted the fact that many Central and South American countries had not adhered to the Convention and suggested that special enquiries might be made with a view to removing any difficulties or misunderstandings which might exist in these States.

Annual Reports, Statistics and Exchange of Information.

The Committee noted that a large number of States had not sent in their annual report for 1921 and that the statistics for the manufacture of morphine, cocaine and other drugs had not yet been supplied by some of the chief manufacturing countries. The Committee asked the Council to urge the Governments of these States to forward their reports and statistics at the earliest possible moment, since, without this information, the work of the Advisory Committee would be greatly hampered. It further decided that, as regarded the drugs mentioned in Article XIV of the Convention¹, a limit should be fixed below which, for the purpose of statistical returns, imports and exports might be disregarded if desired, and that for preparations of each of the drugs morphine, heroin and cocaine, the limit should be 3 kilogs. It was understood that the limit would not apply to the pure drugs and their salts.

The Advisory Committee noted a report submitted by a Joint Sub-Committee of the Health Committee and the Opium Committee regarding methods for determining the world's requirements of opium and other drugs.

The Committee recommended that the arrangements for the mutual exchange between Governments of information regarding seizures of drugs should be extended so as to include information regarding the proceedings and movements of persons known to the authorities to be engaged in carrying on an illicit international traffic.

The Committee decided to place on record its opinion that, despite the large number of difficulties and delays which had arisen in connection with the execution of the International Opium Convention, progress had been made and great strides had been taken by many countries towards bringing the traffic under effective control. A considerable amount of information had already been supplied to the League by Governments, and public interest in the questions involved had very largely increased.

Action taken by the Council in the first half of 1923.

On February 1st, 1923, the report of the Advisory Committee came before the Council and was adopted. On the proposal of the French representative, the report of the Rapporteur, introducing the Committee's report, was amended, so as to cause the passage concerning the import and export certificate system to read as follows:

"The Committee, in its report, expresses the hope that the Council may think it well to point out to the Members of the League that, though in some countries the adoption of the import certificate system will involve or has involved changes in legislation, yet, in its opinion, the system is a true corollary to stipulations of the Opium Convention, and its adoption is, perhaps, advisable in order not merely to enable the country concerned to control its imports and exports but also to enable other countries to control theirs."

In addition, the Council transmitted the following resolution, concerning the increase in penalties for trafficking, proposed by the French representative, to the Advisory Committee for its examination, together with the minutes of the discussion to which the resolution had given rise:

"The attention of Governments is drawn, on behalf of the Council, to the importance of reinforcing the penalties provided by the laws in force for crimes concerning the illegal traffic in opium and other dangerous drugs and of providing a term of imprisonment in addition to a fine.

"The Advisory Committee on Traffic in Opium shall lay before the Council each year a report on the suppression of the illicit traffic in opium and other dangerous drugs in the various countries."

¹ (a) Medicinal opium;

(b) All preparations (official and non-official, including the so-called anti-opium remedies) containing more than 0.2% of morphine or more than 0.1% of cocaine.

(c) Heroin, its salts and preparations containing more than 0.1% of heroin.

(d) All new derivatives of morphine, of cocaine, or of their respective salts and every other alkaloid of opium.

The Council also expressed the view that the Advisory Committee could decide for itself as to what measure of publicity could be given to its sessions.

On April 17th, 1923, the Council reappointed, as Assessors to the Advisory Committee for another year, Sir John Jordan, M. Brenier and Mrs. Hamilton Wright and thanked them for the services which they had rendered to the Committee.

Fifth Session of the Advisory Committee, May and June 1923.

The Advisory Committee held its fifth session from May 24th to June 7th, 1923. The session was a particularly important one in view of the proposals submitted by the American Delegation and of the conclusions which, as a result of its previous work, the Committee unanimously reached for the establishment of a programme of practical action. In addition, the Advisory Committee examined the general situation regarding the production and use of opium and other drugs throughout the world.

Composition of the Committee.

The ordinary Government representatives were present and, in addition, the United States sent the Hon. Stephen G. Porter, assisted by Bishop Brent and Surgeon-General Blue, to represent it in an advisory capacity.

The Serb-Croat-Slovene Government, not having replied to the renewed invitation addressed to it by the Council, was not represented.

Publicity of Meetings.

The Committee decided that the meetings of the session should be held in public unless the members of the Committee wished to sit in private for the discussion of any particular question. It should be recorded that, in actual fact, all the meetings of the session were held in public.

Proposals of the United States of America.

The Delegation of the United States submitted the two following proposals:

- "1. If the purpose of the Hague Opium Convention is to be achieved according to its spirit and true intent, it must be recognised that the use of opium products for other than medicinal and scientific purposes is an abuse and not legitimate.
- "2. In order to prevent the abuse of these drugs, it is necessary to exercise the control of the production of raw opium in such a manner that there will be no surplus available for non-medicinal and non-scientific purposes."

In explaining these proposals, the United States representative showed that they were fully in accordance with the letter and spirit of the International Opium Convention of 1912. The proposals were examined in great detail by the Committee, and, after a very full discussion, a unanimous conclusion was reached. The conclusion was to the effect that the Advisory Committee accepted the United States' proposals and recommended them to the League of Nations for adoption, as they embodied the general principles by which the Governments should be guided in dealing with the question of the abuse of dangerous drugs, principles on which, in fact, the International Convention of 1912 was based. In accepting these proposals, the representatives of the Governments of France, Germany, Great Britain, Japan, the Netherlands, Portugal and Siam made the following reservation: "The use of prepared opium and the production, export and import of raw opium for that purpose are legitimate so long as that use is subject to and in accordance with the provisions of Chapter II of the Convention."

The Committee noted the great value of the co-operation of the United States in the efforts which the League had been making for the past two years to deal with the question of the abuse of dangerous drugs, and expressed the belief that all the Governments concerned would be desirous of co-operating with the United States in giving the fullest possible effect to the Convention. The Committee recalled the fact that in the last two years it had been working towards the same ends as those stated in the American proposals by taking all possible steps to secure the adhesion of all countries to the Convention, by investigating the question of the world's needs for medical and scientific uses of manufactured drugs with the view to the eventual limitation of their production, by recommending the system of import and export certificates, by arranging the exchange of information between States concerning illicit traffic, by inviting Powers with territories in the Far East to review their requirements of opium, by submitting proposals for an investigation by the Chinese Government of the conditions in China with a view to the more effective application of Chapter II of the Convention, and by collecting and publishing information on the measures taken in each country to give effect to the Convention. As a means, therefore, of giving effect to the proposals of the United States, the Committee recommended that the Council should invite: (a) the Governments of those States in which morphine, heroin or cocaine and their respective salts were manufactured, and the Governments of States in which raw opium and the coca leaf were produced for export for the purpose of such manufacture; and (b) those Governments having

territories in which the use of prepared opium was temporarily continued under the provisions of Chapter II of the Convention, and the Government of China,

to enter into immediate negotiations by nominating representatives to form a committee or committees or by other means to consider whether an agreement could not be reached between them on the following measures with a view to giving the fullest possible effect to the Convention of 1912:

The limitation of the amounts of morphine, heroin or cocaine and their respective salts to be manufactured ;

The limitation of the amounts of raw opium and coca leaf to be imported for that purpose and for medicinal and scientific purposes ;

The limitation of production of raw opium and coca leaf for export to the amount required for such medical and scientific purposes (the latter limitation should not be deemed to apply to the production and export of raw opium for the purpose of smoking in those territories where the practice was temporarily continued) ;

The reduction of the amounts of raw opium to be imported for the purpose of smoking in those territories where it is temporarily continued and as to the measures to be taken by the Government of the Republic of China to bring about the suppression of the illegal production and use of opium in China.

The Indian representative associated himself with the recommendations of the Committee subject to the reservation that "the use of raw opium, according to the established practice in India, and its production for such use, are not illegitimate under the Convention."

The Delegation of the United States, commenting on the recommendations of the Advisory Committee, stated that the reservation concerning the use of prepared opium appeared to be but a reaffirmation of Chapter II of the Convention and therefore gave rise to no question. With regard to the recommendation for the summoning of conferences, the United States representatives said they were without instructions on the matter from their Government, but would submit it to their Government for favourable consideration.

Application of Part II of the Convention with reference to European Possessions and other Countries in the Far East.

The Advisory Committee very fully discussed the question of the use of prepared opium and the figures for consumption in the European possessions and other countries in the Far East. It concluded that the general situation did not for the moment show that gradual reduction of the use of prepared opium which was stipulated by the terms of Chapter II of the Convention. It accordingly adopted a resolution proposed by the British representative, by 6 votes to 1, with one abstention.

The resolution recommended that the Council should invite the Powers with Far Eastern territories where the use of opium for smoking is temporarily continued to enter into immediate negotiations, by means of a conference of representatives of those Governments or otherwise, to consider what measures should be taken to give a more effective application to Chapter II of the Convention. The Committee made the following suggestions for the consideration of the Governments attending the Conference:

(1) That the farm system, where still in operation, should be abolished, and the opium business made a Government monopoly.

(2) That the retail sale of prepared opium should be made only through Government shops and that all private shops should be abolished; the persons in charge of such Government shops should receive a fixed salary without commission.

(3) That a uniform maximum limit should be fixed for the amount of prepared opium placed on sale for consumption, calculated according to the number of the adult Chinese male population, and that the annual imports of raw opium should be limited to the amount required for that rate of consumption.

(4) That the possibilities of the system of registration and licensing already in vogue in some Far Eastern territories should be thoroughly explored.

(5) That the possibility of making uniform the retail price of prepared opium in the different territories and the penalties for the infraction of laws relating to its import, export, sale and use should be considered.

(6) That an agreement should be concluded with a view to the application of the foregoing measures.

(7) That the position should be reviewed periodically by the interested Powers and that the question of reducing still further the maximum limit fixed by the Agreement should be considered.

The Committee decided to recommend to the Council that the Minutes of the discussion of the Committee on this question should be communicated to the Governments with the resolution.

Limitation of the Manufacture of Morphine from Opium Derivatives and Cocaine.

The Advisory Committee examined such figures as had been obtainable regarding the manufacture of morphine, other opium derivatives and cocaine in the producing countries, and received

explanations from the representatives of Japan to the effect that, as no figures for the quantity of morphine actually remaining in stock in Japan were available, the statistics for import and manufacture combined could not be taken as representing consumption. The Committee noted that, from information supplied by the Japanese Government to the Japanese Diet on February 2nd, 1923, it appeared that the quantity of narcotic drugs required by Japan for internal consumption was far below the amounts imported and manufactured. The Japanese representative stated that it might be supposed that some quantity of the drugs was smuggled out of Japan without the knowledge of the Government, but that new ordinances had been lately promulgated with the object of restricting the export and import of morphine, cocaine and their respective salts and of supervising their manufacture, sale and consumption. The Committee was glad to receive the assurances of the Japanese representative that his Government was taking more effective measures to cope with the general situation in Japan regarding narcotics.

The Committee emphasised the importance of obtaining the adhesion of Switzerland to the Convention and to the system of import and export certificates, since the statistics before the Committee showed that, as regarded one country alone — the United States — the great majority of imports of the derivatives of opium and cocaine was furnished by Switzerland. Twenty-one Governments had transmitted an approximate estimate of their total annual requirements of drugs for internal consumption.

The Committee also noted that the information regarding the manufacture of drugs was steadily increasing and that it would soon become possible to form a rough estimate of the world's requirements.

Signature and Ratification of the International Opium Convention of 1912.

The Committee noted that fifty-one States Members of the League had signed and forty-two had ratified the Hague Convention, and it was informed by Mrs. Hamilton Wright, one of the assessors, that the Turkish Delegation to the Lausanne Conference had officially requested her to state that Turkey was willing to accept the Convention and the same restrictions as any other nation.

The following States Members of the League have signed but not ratified the Convention:

Argentina, Colombia, Costa Rica, Esthonia, Latvia, Lithuania, Paraguay, Persia and Switzerland.

Albania has neither signed nor ratified the Convention.

Import and Export Certificate System.

The Committee noted that twenty States had accepted and put into force the Import and Export Certificate System and that thirteen more had accepted it in principle.

It further received explanations of the system in force in the United States and instructed the Secretariat to communicate particulars of this system to all the States signatory to the Convention in order that they might be in a position, before sanctioning exports to the United States, to obtain the production of a certificate from the competent authority in the United States.

The Portuguese representative informed the Committee that a Bill was at the moment before the Portuguese Chamber providing for the issue of a certificate of import to all countries demanding it. This arrangement would apply to European and Insular Portugal. It was thought preferable to make special provisions for the Portuguese colonies in view of the special conditions obtaining in Macao.

Through lack of time, further consideration of the position with regard to the Import and Export Certificate System was postponed until the Committee's next session. The Committee was also unable to reach a decision on the resolution passed by the third Assembly in relation to countries failing to ratify the International Opium Convention or to adopt the Import and Export Certificate System, since the position in regard to Persia, Switzerland and Turkey was not yet properly defined.

The following States have put into force the Import Certificate System:

Albania, Austria, Czechoslovakia, Denmark, Esthonia, Great Britain, Greece, India, Italy, Japan, Latvia, Luxemburg, Mexico, New Zealand, Norway, Panama, Poland, Siam, South Africa, Spain.

The following States have adopted it in principle:

Australia, Bulgaria, China, Cuba, Germany, Haiti, Hungary, Lithuania, Netherlands, Newfoundland, Peru, Switzerland, Sweden.

Annual Reports.

The Committee noted that fifteen annual reports for 1921 and eleven for 1922 had been received by the Secretariat, and it decided to ask the Council to urge once more on the Governments the importance of sending in annual reports on the traffic in opium and other dangerous drugs in accordance with the unanimous recommendation of the Assembly.

Traffic in Cocaine.

The Committee noted that eighteen Governments had replied to the request to furnish information with regard to the manufacture of cocaine and that twelve countries had sent in an estimate of their requirements.

Exchange of Information with Regard to the Seizures of Drugs.

The Committee attached the utmost importance to the exchange of information between Governments regarding the seizures of drugs made in connection with the suppression of the traffic.

It therefore adopted a resolution recommending not only that information on seizures should be communicated by the immediately interested Governments to each other but also that all important seizures should be communicated to the Secretariat of the League in order that the fullest international publicity might be secured with the consent of the Governments concerned.

World Production of Opium.

The Committee reviewed the general situation with regard to the world production of opium and noted the lack of any accurate or detailed information for most of the producing countries.

It understood that the investigations which the Chinese Government undertook to make were in progress but that no reports had yet been received. The Committee reached the conclusion that, from the most recent information in its possession, the situation in China was worse than it had been last year. The Chinese representative, however, assured the Committee that the Government of China would never, in any circumstances, legalise the production of opium in China and that the present recrudescence was due to the temporary lack of control by the Central Government in certain provinces.

Discrepancies in Statistical Returns and the Position of Bonded Warehouses.

The Committee examined the replies of the British, Japanese and United States Governments on the discrepancies between British and American returns of exports of drugs to Japan and the Japanese statistics of imports of drugs from those countries.

The British representative proposed that some arrangement should be concluded between Governments for the preparation on a uniform basis of their statistics of the import and export of drugs.

During the discussion on the question, the Japanese representative informed the Committee that the former practice in his country of waiting until narcotics landed in bond were withdrawn from bond before they were regarded as imports had been discarded.

The Committee appointed a Sub-Committee, which prepared a report on the possibility of establishing a system whereby uniformity in statistics could be obtained. It was decided to request the Council to transmit a statement prepared for the Sub-Committee by the Secretariat to all Governments for their observations, together with a note prepared by the British representative on the position of bonded warehouses in relation to the traffic.

Exemptions to Preparations not covered by the Terms of the Convention.

The Siamese representative on the Committee raised the question as to what exemptions should be granted by a State to preparations which did not come within the terms of the Convention because they contained less than the percentage of morphia or cocaine prescribed by the Convention.

The Committee decided to request the Council to ask Governments whether any difficulties had been experienced in regard to this question, and, if so, that the information relative thereto should be communicated to the Secretariat.

Increase in Penalties.

The Committee took note of the resolution proposed by the French representative on the Council regarding increased penalties and submitted by the Council to the Committee for its opinion.

During the discussion, the French representative on the Committee drew its attention to the advisability of instituting the penalty of imprisonment and, if possible, of deportation (*interdiction de séjour*).

The British representative drew attention to the increased penalties adopted in Great Britain under the Dangerous Drugs Act of 1923.

The Committee adopted a resolution to the effect that it considered the infliction of severe penalties to be one of the best means of preventing the spread of the illicit traffic, and recommended the increase of penalties in certain countries and the adoption of the penalty of imprisonment and, if possible, of deportation (*interdiction de séjour*). It also recommended a very strict application of the penalties and the introduction of clauses providing for the punishment of infractions committed in foreign countries.

II. TRAFFIC IN WOMEN AND CHILDREN.

WORK OF THE ADVISORY COMMITTEE.

The Resolutions of the Assembly.

The third Assembly, on September 20th, 1922, adopted the Report of the Advisory Committee on the Traffic in Women and Children.

The Fifth Committee of the Assembly, in presenting this report for approval, drew particular attention to some of the principal matters dealt with in the report and commented on these matters in the following terms:

The Convention of 1921.

1. It is very satisfactory to find that the new Convention which was opened for signature during the second Assembly has been signed by so large a number of States—no less than 33. But the Advisory Committee points out that there are still a good many States, including some Members of the League represented on the Advisory Committee, which have not yet taken the necessary action, and it recommends that these States should be urged to do so as soon as possible. Of the States which signed the Convention, only ten have yet taken the necessary steps to ratify it, but many delegates, including those from Greece, Cuba, Japan, Italy, Roumania, Switzerland, China, Portugal, Poland, Sweden, Chile, and the Kingdom of the Serbs, Croats and Slovenes, informed the Fifth Committee that their Governments hoped to be able to ratify the Convention before long. It is very important that all States which have signed the Convention should proceed to present their ratifications at the earliest possible moment.

The Appointment of Central Authorities.

2. The carrying-out of the administrative measures prescribed by the Conventions depends to a large extent on the appointment of central authorities. Most of the States which are parties to the Convention have already appointed such authorities, but some States have not yet done so, and the Advisory Committee recommends that the Council should urge them to do so. A complete list of central authorities will be kept by the Secretariat and circulated to all States from time to time.

3. The Committee has drawn up a valuable scheme for the co-ordination of international work in connection with the traffic. Under this scheme, the Secretariat of the League will keep closely in touch with the central authorities appointed by States, as well as with the voluntary organisations, in order that there may be a free exchange of information, and that complaints and reports may be forwarded without delay to the proper quarter for investigation and action.

Employment of Women in Theatrical Engagements Abroad.

4. The question of affording greater protection to women who accept engagements abroad to perform in theatres, music-halls, etc., came before the Committee and was considered in connection with the question of emigration. The Committee makes some important recommendations on these subjects which it is understood will be brought to the notice of the Governments by the Council. Other matters are to be made the subject of further investigation by the International Labour Conference.

Annual Reports.

5. In accordance with one of the recommendations of the International Conference of last year, each Government will be asked to furnish an annual report of the measures taken to deal with the traffic in women and children. A form of annual report was drawn up by the Committee.

Employment of Foreign Women in Licensed Houses.

The Assembly also passed the following resolution concerning the employment of foreign women in licensed houses:

“That, in view of the fact that the system of State regulation which exists in certain countries is thought in many quarters to encourage the traffic in women, the Advisory Committee should be asked by the Council to consider whether, pending the abolition of the system, it could be agreed that no foreign woman should be employed or carry on her profession as a prostitute in any licensed house, and that the recommendations of the Advisory Committee on the subject should be included in its next report to the Council.”

Second Session of the Advisory Committee.

The Council, on October 2nd, 1922, instructed the Secretary-General to invite the Advisory Committee to consider the resolution of the Assembly on the employment of women in licensed houses and hoped that the Committee would meet at an early date.

The Advisory Committee on the Traffic in Women and Children met from March 22nd to 27th, 1923, and its report was presented to the Council on April 19th, 1923.

The Committee discussed this draft report in public and decided to ask the Council's opinion as to whether its meetings should in future be held in public. The Council subsequently ruled that the Committee had the right to decide the question of holding its meetings in public in its discretion.

Annual Reports.

The Committee decided to ask the Council to instruct the Secretariat to prepare a summary of the annual reports of the Governments on the measures taken to deal with the traffic. It was understood that this summary would be circulated to the Members of the League and to the Advisory Committee.

Laws and Regulations.

The Committee also decided that a digest of the laws and regulations relating to the traffic in women and children should be prepared by the Secretariat and distributed to all the Governments and to the Advisory Committee and that information regarding new laws and regulations should be distributed annually.

Signature and Ratification of the Convention of 1921.

The Committee noted that Denmark, Finland, Panama and twenty British colonies had adhered to the Convention of 1921 as a result of the letter sent in August 1922 to all Governments requesting those which were not already parties to the Convention to take the necessary action without delay. The Committee further noted that Bulgaria and Greece were taking steps to sign and ratify the Convention. The following Members of the League were at present outside the Convention: Argentine, Bolivia, Bulgaria, France, Guatemala, Haiti, Honduras, Liberia, Luxemburg, Nicaragua, Paraguay, Peru, Salvador, Kingdom of the Serbs, Croats and Slovenes, Spain, Uruguay and Venezuela. The following States had signed but not yet ratified it: Albania, Brazil, Chile, China, Colombia, Costa Rica, Cuba¹, Czechoslovakia, Esthonia, Greece¹, Hungary, Italy, Japan, Latvia, Lithuania, Netherlands, Persia, Poland and Danzig, Portugal, Roumania, Switzerland and Sweden. In the course of the discussions of the Committee, it was pointed out that of the nine Governments officially represented on the Committee, three had not adhered to the Convention and four had not yet ratified.

The representatives of Italy, Poland, France, Roumania, Uruguay and Japan informed the Committee of the steps that their Governments were taking to sign or to ratify the Convention.

Employment of Women in Theatrical Engagements Abroad.

The Committee suggested in 1922 that protection might be given to women seeking employment abroad in theatres and music-halls, etc., either by requiring a special licence or by precautions taken in consultation with professional associations before passports were granted. The Committee made no addition to these recommendations but thought that each country should adopt the method best suited to its special circumstances. Before considering this question afresh, the Committee decided to await the observations of the Governments on the recommendations contained in its first report.

Emigration and Immigration.

The Committee recommended that information on the following matters should be collected in collaboration with the International Labour Office: (a) arrangements for the protection of immigrants and transmigrants before departure; (b) regulations providing for their protection during the voyage; (c) measures taken to accommodate and find employment for them on arrival; (d) treatment of undesirables.

The Committee thought that the voluntary associations should also be asked to supply such information as they could furnish on these points.

Reports of Voluntary Organisations.

The Committee further noted the reports of the voluntary organisations presented on behalf of the International Bureau, the International Women's Organisations, l'Association catholique internationale des œuvres de protection de la jeune fille, Fédération des unions nationales des

¹ Since the second session of the Advisory Committee, Cuba and Greece have ratified the Convention.

amies de la jeune fille and the Jewish Association for the Protection of Girls and Women. The Committee drew special attention to the fact that many of the associations were hampered by lack of funds, and expressed the hope that public opinion in all countries would realise the importance of the work they were doing and that a more liberal response in the form of private subscriptions might therefore be forthcoming.

Employment of Foreign Women in Licensed Houses.

It became apparent during the discussions on the Assembly resolution concerning the employment of foreign women in licensed houses that various members of the Committee viewed the matter from different angles. The majority considered that the existence of licensed houses was a direct incentive to the traffic in women and laid stress on the words contained in the resolution "pending the abolition of the system." They thought that the appropriate remedy was the abandonment of the system of licensed houses but accepted the Assembly resolution as an intermediate step. Other members thought that by agreeing to a resolution of this kind they would appear to be acquiescing in a system which they opposed and thereby countenancing State regulation and licensed houses. Others agreed with the principle of the resolution but considered that in itself the prohibition, even if effect could be given to it, would be illusory, or that the object could best be obtained by the application of legislation concerning immigration. A minority of the Committee objected altogether to the resolution.

Further, the question was raised as to whether it was within the competence of the Committee to deal with a resolution concerning State regulation in any form. It was argued that the international conference which had met in Paris in 1902 had been careful to exclude this topic from its discussions, and that it did not seem to be covered by Article 23 of the Covenant, which defined the mandate of the Committee. In answer to this objection, it was pointed out that the Advisory Committee had been specifically instructed by the Council, on the recommendation of the Assembly, to give advice on this particular question, and that the question of competence had therefore been settled.

A resolution was finally passed by the Committee by four votes (Denmark, Italy, Japan and Poland) to two (France and Uruguay), with two abstentions (Roumania and the United States). The Chairman (British representative), who did not possess a vote, expressed himself in favour of the resolution; the Spanish delegate was absent when the vote was taken but had spoken against the resolution. The resolution read as follows:

"The Advisory Committee, having, at the request of the third Assembly of the League, examined the question of the employment of foreign women in licensed houses, recommends that, pending the abolition of the system of State regulation, no foreign woman should be employed or carry on her profession as a prostitute in any licensed house."

The Committee adopted two further resolutions arising out of this question: (1) that the Governments of those States which possessed a system of regulation should be asked for a full report on its working and results and that those States which had abandoned the system should be asked to report on the reasons which had led them to take this course; (2) that women, as well as men, should be employed among the police engaged in dealing with prostitution.

Proposed Enquiry by Experts.

The delegate of the United States submitted to the Committee a proposal that an investigation should be undertaken by the League to ascertain the extent of the traffic in women in different countries and the effectiveness of the measures hitherto taken to suppress it. The Committee concurred in this proposal and recommended that the Council should appoint an expert, or experts, to conduct an enquiry on the spot in collaboration with the Governments concerned.

Action taken by the Council in 1923.

The Council examined the report and the recommendations of the Advisory Committee on April 19th, 1923.

It approved the recommendations that the Secretariat should be instructed to prepare a summary of the annual reports received from the Governments; that the Governments should be invited to furnish a full statement of the laws and regulations in force in their respective countries; that the Secretariat should have a digest of these laws and regulations prepared and distributed to the Members of the League; that the attention of the Governments should be drawn to the desirability of adhering to, or ratifying, the Convention of 1921 without delay; and that information should be obtained in collaboration with the International Labour Office on emigration questions relating to women and children.

Employment of Foreign Women in Licensed Houses.

The Council then considered the resolution of the Advisory Committee with regard to the employment of foreign women in licensed houses, noting that there had been some divergence

of opinion on this subject in the Advisory Committee. After some discussion, it decided to communicate to the Members of the League the report of the Advisory Committee, together with the minutes of the Committee concerning the employment of foreign women in licensed houses and the minutes of the Council dealing with the same subject.

The Council (recognising the connection which might exist between the system of licensed houses and the traffic in women) decided to ask those States Members of the League which had recently abandoned a system of State licensed houses to communicate the reasons which led them to take such a decision, in so far as those reasons concerned the traffic in women and children, and, further, to ask those States in which a system of licensed houses existed whether such a system in its practical operation appeared to facilitate or hinder the traffic in women and children.

Proposed Enquiry by Experts.

Further, the Council decided to appoint experts to undertake the enquiry recommended by the Advisory Committee into the conditions under which the traffic is carried on, with the consent and collaboration of the Governments of the countries concerned. These experts were to draw up a questionnaire to be forwarded to the interested Governments. The experts would have authority to make an enquiry on the spot, with the agreement of the interested Governments, and to examine the replies to the questionnaire and the reports on the results of the enquiry, from which they would be enabled to form their conclusions.

The Council also decided to communicate the Advisory Committee's recommendation concerning the employment of women police to all the Governments for their information.

III. DEPORTED WOMEN AND CHILDREN IN TURKEY AND NEIGHBOURING COUNTRIES.

The third Assembly, on September 28th, 1922, adopted the following resolutions:

"I. The Assembly approves the conclusions of the report presented by Dr. Kennedy, Chairman of the Commission of Enquiry on Deported Women and Children, and is of the opinion that the League of Nations should continue its work in this direction.

"II. The Assembly requests the Council to urge the Governments responsible for any territories, either under mandate or under Allied control, where members of the Commission for the Reclamation of Women and Children are working, to instruct their officials in these territories to give strong support and assistance to the Commission and its members.

"III. A further sum of £1,500 shall be allocated to the funds of the Commission in order that the valuable work at present being undertaken by the Commission in Aleppo may be continued."

On October 2nd, 1922, the Council noted the resolutions of the Assembly and urgently recommended them to the attention of the responsible Governments.

On January 30th, 1923, the Council noted a letter from Dr. Kennedy, Chairman of the Commission of Enquiry, which stated that, owing to the threatening situation in Constantinople, it had been necessary to evacuate the orphanages of the Lord Mayor of London's Armenian Relief Committee, and that he had been advised by the British High Commissioner that the British staff of the Commission of Enquiry should leave Constantinople. It was later found possible to resume this work in the form of the provision by the Commission of temporary accommodation for deported women and children, not accompanied by adult male relatives, who are in process of being evacuated from Turkey.

IV. OBSCENE PUBLICATIONS.

The Assembly, on September 28th, 1922, adopted the following resolutions:

"I. To ask the Council of the League, in accordance with Article 24 of the Covenant, to authorise the Secretariat to assist Members of the League and any other States which are parties to the international movement for the suppression of obscene publications in all measures which may be necessary for this purpose.

"II. To ask the Council to draw the attention of all States to the International Agreement of 1910; those States which have signed or acceded to it should be asked to give full effect to its provisions, and those States which are not yet parties to it should be urged to accede to it at an early date.

"III. To invite the Council to communicate the draft Convention of 1910, with a questionnaire, to every State with the request that it should forward its comments

thereon to the Secretariat of the League of Nations. The Secretariat will co-ordinate the replies received and submit them as a whole to the French Government, requesting it, on behalf of the Council, in view of the initiative taken by that Government in 1910, to convene a new conference under the auspices of the League, to be held at Geneva about the time of the fourth Assembly and to be composed of plenipotentiaries empowered to draw up the text of a new convention and to sign such a convention."

On October 20th, 1922, the Council noted the resolutions adopted by the Assembly and instructed the Secretary-General to take the necessary action.

On March 24th, 1923, the Advisory Committee on the Traffic in Women and Children discussed a suggestion of the International Bureau to the effect that the question of obscene publications might eventually be entrusted to the Advisory Committee on the Traffic in Women and Children. The Committee decided, in view of the intended conference, not to mention the subject in its report to the Council.

Up to the present, sixteen replies from Governments to the questionnaire have been received by the Secretariat. These have been summarised, and a copy of the summary has been sent to the French Government with an invitation to call the conference in accordance with the terms of the above resolution.

12.

MEASURES TO HELP REFUGEES.

I. RUSSIAN REFUGEES.

Resolutions of the Assembly.

The Assembly, on September 28th, 1922, voted resolutions to the effect that, in adopting Dr. Nansen's report on the work of the preceding year, it desired to express its entire satisfaction with the way in which he had discharged his duties. Further, since the work of the High Commissioner was not yet finished, the Assembly decided to invite the Council to request Governments to support and assist the High Commissioner, especially as regarded the development of the means of general and professional education and the securing of employment for the refugees.

The Council was also invited to draw the attention of all States Members of the League to the importance of the system of identity certificates drawn up by the Conference on that subject, held at Geneva in July 1922, and to request those Governments which had not yet given a favourable reply to consider whether they could not bring the system into force without delay.

The Assembly also requested the Council to provide by international co-operation for the maintenance of the Russian refugees who were incapable of providing for their own livelihood in the States where they were congregated.

Action taken by the High Commissioner in 1922 and 1923.

On October 2nd, 1922, the Council noted and confirmed the resolutions of the Assembly. On February 2nd, 1923, Dr. Nansen laid a report before the Council.

Despite very serious obstacles, his delegates in the various countries had been able to make substantial progress. He had been continually faced with financial difficulties but had been ably assisted in his financial administration by Colonel Proctor, who had assumed responsibility for the administration, among other funds, of the £150,000 placed at the disposal of the League by the British Government.

Colonel Corfe had rendered valuable services in Greece.

Identity Certificates and Visas.

Nineteen Governments had adopted the identity certificate drawn up by the Conference on Identity Certificates for issue to Russian refugees in their territories, and had recognised similar certificates issued by other Governments.

The 19 Governments were as follows:

Albania, Austria, Bolivia, Bulgaria, Finland, France, Germany, Great Britain, Greece, Guatemala, Italy, Latvia, Lithuania, Luxemburg, Norway, the Netherlands, Roumania, Kingdom of the Serbs, Croats and Slovenes, Switzerland.

Further, the Governments of Czechoslovakia, Siam and South Africa had agreed to adopt the system in principle. The Governments of Belgium, Canada and Esthonia had informed the High Commissioner that they were not prepared to issue the certificates, but it was hoped to obtain the adhesion of the Governments of China, Denmark, Hungary, Japan, Persia, Poland and Sweden¹.

The adoption of the system of identity certificates has been of inestimable value to Russian refugees as it freed them from their disabilities as "Staatenlose" and enabled them to travel more or less freely to destinations where it was possible for them to obtain employment or to join their friends. It has also been of considerable value to Governments, which could by this means ascertain with great accuracy the number of Russian refugees in their territories and facilitate their departure elsewhere.

The Work in Constantinople

The office for Russian refugees in Constantinople had become the largest refugee institution in Constantinople. Weekly meetings of the representatives of all the important local relief organisations were convened by the Delegate of the High Commissioner in order to confer on the various problems which arose. The office had the confidence of the Allied High Commissioners, the various embassies and legations and of the refugees themselves.

On an average, 1,000 refugees asked the office for assistance every week. It had already evacuated 17,000 refugees to four countries at an approximate cost of £2 10s. per head. It had completed the evacuation of 1,000 invalids and their families and made special arrangements with Russian and Bulgarian organisations in Bulgaria for their maintenance and future welfare, and it had, in addition, transferred to Bulgaria a thousand able-bodied workmen, where they had been provided with employment in the Pernik mines.

During the summer of 1922, the American Relief Administration generously undertook to feed the remaining 10,000 necessitous Russian refugees in Constantinople on condition that the League made arrangements for their evacuation within a specified period. A sum of £30,000 was necessary for these evacuation arrangements and an appeal for this amount was made to the Members of the League. About one-half of the sum required was eventually subscribed by the Members of the League and the remainder by the American Red Cross, by means of whose further local co-operation the Constantinople office had been enabled to make such progress that, as a result of an arrangement with the Bulgarian Government, 5,000 of these refugees were evacuated to Bulgaria; the remainder have been evacuated to other countries, so that the responsibility of the League regarding these refugees has now ceased.

The Constantinople office had afforded considerable assistance in securing visas and in the part payment of transport expenses for individual refugees who had found work in other countries. An average of 230 individual departures per week to 44 countries had been secured. The Constantinople office had, in addition, secured the evacuation of some hundreds of Russian Jewish refugees to Palestine, the United States and other countries, thanks to the collaboration of the Jewish Colonisation Association.

The High Commissioner, on his arrival at Constantinople in October 1922, was informed by Hamid Bey, the representative of the Angora Government, that, by virtue of the terms of the treaty existing between his Government and the Soviets, all Russian refugees in Constantinople would have to be evacuated before the Turks occupied the city. This would have meant the evacuation of 15,000 self-supporting refugees. A state of panic ensued on the publication of this information, and some hundreds of refugees made urgent preparations to leave Constantinople. The Government of the Kingdom of the Serbs, Croats and Slovenes was asked to receive another 5,000 refugees, and the High Commissioner offered a contribution of £10,000 towards their maintenance. The Serb-Croat-Slovene Government, however, did not wish to receive these refugees unless guarantees for their permanent maintenance were given. This the High Commissioner was unable to do through lack of funds. He was finally successful in obtaining an assurance from the Soviet Government that it had no intention of requesting the Angora Government to insist on the evacuation of the refugees and he hoped that the Angora Government would not insist on the departure of the remaining refugees in Constantinople.

The legal status of the Russian refugees in Constantinople after the occupation of the city by the Angora Government caused considerable anxiety. The High Commissioner had thought it best to afford these refugees protection by means of identity certificates similar to those adopted by other Governments. He proposed that the certificates should be prepared by the Constantinople office and issued by the High Commissioners of the three Allied Powers. The British, French and Italian Governments had signified their approval of this procedure, and the French Government had generously agreed to issue visas to 1,400 refugees to enable them to enter France. The sympathy of the Turkish Government was being solicited in this connection, and it was hoped to secure its recognition of the identity certificate system.

¹ Denmark and Poland have recently adopted the system.

A negative reply was received from China, but further representations have been made. Information has been received unofficially that Hungary is prepared to adopt the system.

Mexico has also declared unofficially her willingness to recognise the certificates issued by other Governments.

The Work in Bulgaria.

Without the co-operation of the Bulgarian Government, the successful solution of the Constantinople problem would have been almost impossible. The Bulgarian Government had received or consented to receive 1,000 invalids, 1,000 workmen and their families, 600 children, 5,000 refugees remaining from those fed by the American Relief Administration and many hundreds of individual refugees. Some 75 per cent. of the 10,000 refugees at one time constituting the Constantinople problem had been provided with homes in Bulgaria. The 600 refugee children in Bulgaria had been maintained by the Bulgarian Government until August 1922, and subsequently by the High Commissioner, who required £3,750 a year for their maintenance and education.

The office of the High Commissioner at Sofia worked in close co-operation with the existing Russian refugee relief organisations in Bulgaria.

The Kingdom of the Serbs, Croats and Slovenes.

The Kingdom of the Serbs, Croats and Slovenes sheltered about 55,000 refugees, who constituted a heavy charge on its national exchequer. It afforded free transport on its railways to such refugees as desired to leave the country, and it issued identity certificates to the refugees on its territory. It had also given instructions to its representative in Constantinople to issue some hundreds of individual visas for self-supporting refugees.

The Refugees in France.

The French Government had given free visas to 1,400 Russian refugees in Constantinople. It had transferred to France 3,000 refugees from Corsica and Tunis and placed them in productive employment. Some hundreds of refugee orphans from Constantinople had been placed in French families and an additional 1,000 orphans from Poland and the Kingdom of the Serbs, Croats and Slovenes had been given permission to enter France. A central co-ordination committee of the representatives of the various Russian organisations in France had been formed by the High Commissioner's delegate.

The Refugees in Greece.

Up to the autumn of 1922, 5,000 Russian refugees in Greece were maintaining themselves by productive employment, and some had been supported by the Greek Government. The enormous influx of Greek refugees, however, had naturally caused the Greek Government to withdraw its subsidy, though it had maintained its grant to 400 Russian refugee invalids in Salonika. It had also issued identity certificates and afforded free transport in Greece to all Russian refugees desiring to leave the country.

The Russian refugee office at Athens had evacuated 500 refugees to European countries and 800 refugees who desired to return to Russia.

Dr. Nansen, in his report, asked the Council to appeal urgently to the Governments for assistance for the 4,000 refugees remaining in Greece. The hospital for invalid Russian refugees in Salonika had received a gift of £200 from the "All-British Appeal Committee", and the New Zealand Government had promised provisionally £100 a year for three years for the education of Russian refugee students in Greece.

The Refugees in Other Countries.

The Russian refugee problem was especially grave in Germany, Poland and other countries bordering on Russia. In Germany there were stated to be no fewer than 600,000 refugees and in Poland 300,000. The High Commissioner maintained delegates in these countries working in close co-operation with the Governments and with the existing Russian organisations.

Refugees taken over from the British Government.

In May 1922 the High Commissioner relieved the British Government of responsibility for 4,600 Russian refugees in Egypt, Cyprus, Touzla and the Kingdom of the Serbs, Croats and Slovenes in consideration of a payment of £150,000. Arrangements had been made whereby the Serbo-Russian State Commission assumed responsibility against a capital grant for 1,500 of these refugees in the Kingdom of the Serbs, Croats and Slovenes. The majority of the refugees from Egypt, Cyprus and Touzla were evacuated to Bulgaria. The Bulgarian Government had allowed the refugees to move freely in Bulgaria, thus considerably facilitating the problem of finding them employment. Very little sickness was to be found among these refugees, which was largely due to the work of a mixed medical board, consisting of a British army doctor, a Russian Red

Cross doctor, and a Russian doctor attached to the High Commissariat. By the end of the year such substantial progress had been made with the liquidation of these refugees that only a few difficult categories remained a charge on the High Commissioner.

Repatriation and Reconstruction.

The High Commissioner had continued his negotiations with the Soviet authorities and had obtained important concessions from the Soviet Government on behalf of such refugees as sought his assistance in connection with their repatriation. There was evidence of a strong feeling among certain categories of the refugees in favour of repatriation. Some thousands of refugees had returned to Russia in 1922 entirely on their own initiative and at their own risk. Many of them had returned without any permission from the Soviet authorities. The High Commissioner's representative in Russia reported that these refugees had received uniformly favourable treatment.

International Co-operation for the Maintenance of Refugees.

Several Governments, notably the Government of the Kingdom of the Serbs, Croats and Slovenes, had pointed out that those Members of the League offering hospitality to Russian refugees had undertaken a considerable burden and had urged that this burden should be shared by other Members. The High Commissioner asked the Council to consider what means could be taken to give effect to this proposal.

The Council noted the report and congratulated the High Commissioner on the courage and tenacity which had enabled him to overcome the great difficulties with which he was faced in dealing with the problem.

II. REFUGEES FROM ASIA MINOR.

Action by the Assembly in 1922.

On September 19th, 1922, the Assembly adopted a resolution accepting Dr. Nansen's offer to place the services of his Russian Refugee Organisation at the disposal of the League for the administration of any relief afforded to refugees from Asia Minor, on the understanding that the work for Russian refugees would not be hindered. The Assembly further invited the Council to place a sum at the disposal of Dr. Nansen taken from the item "Unforeseen expenditure" in the Budget and sufficient to enable the necessary administrative measures to be taken until adequate arrangements from other sources could be made. On September 25th the Assembly passed a further resolution to the effect that, recognising the extreme urgency of bringing effective aid to the refugees in the Near East, Members should be asked to inform their Governments of the situation and recommend an immediate and adequate financial contribution to Dr. Nansen's organisation.

Action by the Council in 1922.

On September 19th, 1922, the Council considered the first resolution adopted by the Assembly and placed at the disposal of Dr. Nansen a sum of 100,000 Swiss francs taken from the item "Unforeseen expenditure" of the Budget for 1922.

Action taken by the High Commissioner in 1922 concerning the Exchange of Populations.

On October 2nd, 1922, Dr. Nansen left for Constantinople, having telegraphed to Mustapha Kemal Pasha, with the object of entering into direct relations with the Turkish Government at Angora. In the course of several interviews with Hamid Bey, the Diplomatic Representative at Constantinople of the Turkish Grand National Assembly, Dr. Nansen pointed out the various questions with which he desired to deal, particularly the question of an exchange of populations between Greece and Turkey. On October 15th the High Commissioners of France, Great Britain, Italy and Japan resident in Constantinople formally invited Dr. Nansen to take all possible steps to endeavour to reach an agreement regarding an exchange of populations between the Greek and Turkish Governments as soon as possible, independently of the Peace negotiations. Dr. Nansen was further informed by the Greek Government that it was very desirous that he should arrange such an agreement. On October 23rd, Dr. Nansen received a telegram from Mustapha Kemal Pasha stating that the proposed exchange was acceptable in principle but that it would have to be considered by the Government at Angora. At Dr. Nansen's request, the Greek Government furnished him with a document giving him full powers to negotiate the desired agreement. On October 30th he was informed by Refet Pasha, Governor of Thrace, newly arrived from Angora, that the President

of the Council of Ministers at Angora agreed in principle with the exchange of populations, excluding Western Thrace, and empowered Hamid Bey to conduct the necessary negotiations with the High Commissioner of the League. On October 31st Dr. Nansen conferred with Hamid Bey, who informed him that the Angora Government only permitted him to negotiate on the basis of a total and enforced exchange of populations, from which the population of Constantinople would not be excepted. Dr. Nansen said that he could not limit the discussion in the manner proposed by Hamid Bey and suggested that the Turkish Representative should ask his Government for further instructions, while he, on the other hand, would ask the Greek Government whether it would accept total and enforced exchange of populations, including the population of Constantinople, as a basis of discussion. Hamid Bey preferred not to consider any points of detail concerning the exchange while awaiting the decision of his Government. On November 2nd, Hamid Bey having to depart suddenly to attend the Peace Conference at Lausanne, Dr. Nansen addressed a memorandum to the Government at Angora setting forth his sincere desire to obtain a solution of the question and asking the Government to inform him whether it was prepared to negotiate without delay, and independently of the Peace negotiations, an agreement for the exchange of populations on the basis of a voluntary emigration of the racial minorities in Turkey and Greece, including the civilians detained in Asia Minor. He further enquired if it were prepared to appoint delegates with full powers to conclude with Greek representatives and under his auspices an agreement which would be submitted immediately for ratification by the two Governments. The Greek Government informed Dr. Nansen that it could not agree to a total and enforced exchange of populations, including that of Constantinople. Dr. Nansen kept the High Commissioners of the Allied Powers informed of the progress of these negotiations and explained that, in his opinion, it would not be possible to negotiate an agreement on the lines suggested by the representative of the Angora Government, even if the Greek Government had accepted the proposal. Dr. Nansen received no reply to his memorandum of November 2nd to the Angora Government. He subsequently attended the Peace Conference at Lausanne and proposed to the representatives of the invited Powers that negotiations should be renewed. Lord Curzon, the President of the First Committee of the Conference, asked Dr. Nansen to make a statement on the subject. Dr. Nansen complied and urged that if an exchange of populations was to be effected, it should be effected in time for at least a considerable portion of the exchanged populations to be enabled to cultivate the land of their new farms during the coming spring. The question was referred by the First Committee of the Conference to a Sub-Committee presided over by Signor Montagna. Dr. Nansen attended the meeting of the Sub-Committee and submitted a further statement on the situation suggesting in what way the wishes of the two parties might be harmonised but emphasised that a compulsory treaty of exchange could only be satisfactorily carried through if both the Turkish and Greek Governments acted with absolute loyalty and good faith.

Action taken by the High Commissioner regarding the Refugees in Greece and Asia Minor.

Dr. Nansen visited Constantinople and Athens in the months of October and November 1922 with the object of ascertaining the general situation with regard to refugees in Asia Minor. He further made a tour of inspection through Western Thrace, where many of those refugees had found refuge. The problem which faced him was complicated by the fact that the numbers of refugees were increased by the population of Eastern Thrace which began to leave their homes immediately after the conclusion of the Mudania armistice. The numbers of refugees of Greek and Armenian origin scattered throughout Greece and Western Thrace amounted to about 900,000, including 300,000 from Eastern Thrace. The refugees from Eastern Thrace had been able to bring away with them portions of their movable possessions, including their cattle, wagons, clothing, and, in some cases, their agricultural implements. The abundant harvest, however, which had just been reaped, was left behind. The refugees from Asia Minor had, on the other hand, left their homes in such haste that they had no other possessions than the light summer clothing which they were wearing at the time of their departure.

In addition to these refugees the population of those areas of Asia Minor in which the military operations of August and September 1922 had been carried out was in great distress. In order to assist them, the High Commissioner co-operated with the Turkish Red Crescent and despatched to Smyrna 200 tons of flour, bought with the funds placed at his disposal by the Assembly. He further provided transport for a number of Turkish refugees in Constantinople to enable them to reach their homes in Asia Minor in time to carry out the autumn sowing of their fields. In addition, a representative of the Epidemic Commission aided the Turkish Red Crescent with medical supplies, especially vaccine and serum.

The Greek Government made great efforts to distribute the refugees throughout Greece in such a way as to enable them to be absorbed by the local population. As a temporary measure of relief the High Commissioner acquired a considerable quantity of flour, which was despatched to the islands of Samos and Chios, where it was distributed by his representatives. The American Red Cross, under Dr. Ross Hill, brought help in the form of food and other direct relief. The High Commissioner established a Central Committee in Athens for co-ordinating the work of relief being carried out by the various charitable organisations concerned with the problem. The American Relief Organisations, within a few weeks of the arrival of the refugees in Greece, transferred sufficient machinery and equipment to take over the feeding of nearly one million people, and the High Commissioner launched an urgent appeal for assistance to all Members of the League to enable him to acquire the sum of £50,000 promised by the British Government when a similar

sum had been contributed by other Members of the League. The High Commissioner also appealed for clothing and blankets.

A representative of the Epidemic Commission of the League of Nations arrived in Greece with some 100,000 doses of vaccine for the inoculation of the refugees, as the danger of serious epidemics was very grave.

By the middle of January 1923, not less than 30,000 of the refugees had perished from cold and exposure, despite the great efforts which the Greek Government had made to house them. No serious outbreak of epidemics had occurred. The High Commissioner authorised his Deputy Commissioner, Colonel Procter, to organise a series of feeding camps in Western Thrace. These camps were first set up in Dedeagatch but were subsequently removed to other points in the interior. By these means 10,000 refugees were fed daily. The Greek Government placed at the disposal of Colonel Procter vacant land for cultivation. Numbers of the refugees were housed on this land in tents given to the High Commissioner by the Belgian Government. Building materials were also supplied by the Greek Government, from which villages were constructed.

Attached to the feeding camps was a hospital of 120 beds organised in conjunction with Lady Rumbold's Constantinople Fund for Refugees.

Dr. Nansen's representatives were further able to give a certain measure of assistance to the Anglo-American Committee working in Salonika.

The High Commissioner's appeal for clothing and blankets met with generous response in many countries, notably in Great Britain, where the heads of the Ex-Service-Women's Organisation, the All-British Fund and other organisations despatched more than 70 crates of clothing a day to Athens. Up to the end of January, about 1,400 crates had been received.

The funds contributed by the British Government to the High Commissioner amounted, by the end of 1922, to £19,208, but he was informed by the British Government that it was unable to keep open after January 1st, 1923, its offer to double all contributions from other Members of the League received by the High Commissioner up to £50,000. The High Commissioner accordingly appealed once more for funds to those Members of the League which had not so far contributed.

Action taken by the Council in 1923.

On February 2nd, 1923, the Council examined a report submitted by Dr. Nansen containing the foregoing information, and adopted the following resolution:

"The Council, having heard the report of Dr. Nansen dated January 26th, 1923, decides to set aside from the item 'Unforeseen expenses' (item 29 of the budget for 1923) the sum of 50,000 Swiss francs, in order to enable Dr. Nansen to liquidate the various administrative engagements which he has assumed notably in connection with the Epidemic Commission."

On April 23rd the Council heard a further report from Dr. Nansen on the situation. The report gave details of the plan adopted by Colonel Procter definitely to establish the refugees as self-supporting members of the community within as limited a period of time as possible. The guiding principle of this plan was to cease the distribution of indiscriminate charity, which tended to cause degeneration among the refugees, and to encourage them to work for themselves.

Village settlements in Western Thrace were to be established for about 10,000 refugees, who were to be fed and generally cared for until their crops could be reaped, about the end of July 1923. Skilled and general workers were to be established in the occupations for which their previous life and training fitted them, such as farming, charcoal-burning, brick-making, carpet- and blanket-weaving, lace-making, fishing, etc. A hospital was to be established to ensure a proper standard of health among the refugees.

As a result of this plan, an area of land between Gumuldjina and Porto Lagos, consisting of 100,000 Greek acres, was allocated by the Greek Government for the purposes of colonisation. This land was virgin soil of the best quality with a plentiful water supply, and was in close proximity to the railway line from Dedeagatch to Xanthi. A central hospital was established in the middle of the area, and the sites for the villages were marked out. The land was subdivided among the settlers, the boundaries of each settlement being clearly defined by a council elected by the villagers and presided over by a Government official, and the use of several mechanical ploughs was secured.

By the middle of February, eight agricultural villages were in course of construction and the villagers were already clearing the land of scrub preparatory to ploughing it, and by the end of April 13 villages had been built and the ploughing and sowing were well advanced.

To deal with work of this kind, a labour bureau was established at Gumuldjina in offices placed at the disposal of the High Commissioner by the local bishop. The local charcoal-burning industry was placed under the control of the High Commissariat, and became self-supporting by April, many families being employed in this work. Brick-making was in progress. A laundry industry was established, and lace-making and embroidery provided employment for about 40 % of the women. Carpet-manufacture was begun, and a small factory has been set up. The Governor-General has in all cases co-operated very closely with the High Commissariat in the general direction of the work.

The report pointed out that the reconstruction work, successful though it was, was on a very small scale if the size of the whole problem was taken into consideration. The result obtained

showed, however, that some 11,000 refugees will become self-supporting by July 1923 at an approximate cost to the League of Nations of £1 per head.

Anatolian Refugees in Constantinople.

Dr. Nansen received a telegram from the Near East Relief to the effect that 30,000 Anatolian refugees were in the greatest state of destitution in Constantinople and asking for co-operation. Owing to a gift of £1,000 by the All-British Appeal and of clothing to that value, Dr. Nansen's representatives in Constantinople have been able to afford some measure of relief to these refugees. The Greek Government expressed itself willing to receive these refugees after disinfection, subject to arrangements being made for their maintenance in Greece.

Greek Loan.

On February 2nd, 1923, M. Politis, representative of Greece, laid before the Council a request from the Greek Government that the League should assist it to obtain an international loan of £10,000,000 sterling, which should be used solely for the permanent settlement of the refugees. The Council decided to refer the matter to the Financial Committee for examination and report. On April 23rd, 1923, Dr. Nansen strongly urged the Council to decide on the question of the loan with the least possible delay in view of the fact that the American Relief Organisations would cease work at the end of June and thus leave many thousands of refugees faced with the prospect of immediate starvation. He pointed out that the Greek Government afforded means of redeeming the loan in ten years, and that the American Relief Organisations were understood to be willing to consider proposals for co-operation with a view to the final solution of the problem.

The Council, in congratulating Dr. Nansen on the success of his efforts, adopted the following resolution:

"The Council, having heard Dr. Nansen's statement as to the position of the refugee problem in Greece;

"Understanding that the Greek Government is now engaged in collecting the essential information which the Financial Committee requires in order to examine, in accordance with the authorisation already given by the Council, the practicability of the flotation of a loan on the basis of securities which Greece could offer:

"Now requests the High Commissariat, in consultation with the Greek Government, to consider whether, if a loan should prove practicable, it would be possible to replace the temporary relief measures that, except in a part of Western Thrace, have hitherto alone been undertaken, by a general plan enabling refugees in other parts of Greece to be settled on the land or otherwise established on a self-supporting basis, and, if so, to prepare a scheme for the purpose;

"And hereby appoints a Sub-Committee, consisting of the British, French and Italian members of the Council, with authority to invite the Greek Government to add a fourth member, to receive the reports from the Financial Committee and from the High Commissariat, and to advise the Council at its next session whether the League itself can properly and usefully accept any responsibility or take any action."

The Council further granted Dr. Nansen 50,000 francs from the item "Unforeseen expenses" in order to meet the necessary administrative charges in connection with the work of relief. It was understood that this sum should form the first charge on the proposed loan to the Greek Government.

Government Contributions to Near East Relief Fund.

Japan	10,000 yen
Switzerland	15,000 Sw. frs.
Brazil	£1,000
Canada	135,120 Sw. frs.
Denmark	£1,000
New Zealand	£1,000
Sweden	£1,000
Norway	£1,000
Spain	£2,000
Great Britain	£19,208
Luxemburg	20,000 Belgian francs

13.

INTERNATIONAL BUREAUX.

By Article 24 of the Covenant, all international bureaux established by general treaties are placed under the direction of the League if the parties to such treaties consent. The Council has on several occasions been asked to consider in what way the League's direction over international bureaux should be exercised in accordance with Article 24.

I. PUBLICATIONS RELATING TO INTERNATIONAL ORGANISATIONS.

The Secretariat of the League prepares and publishes a *Quarterly Bulletin of Information on the Work of International Organisations*, the first number of which was issued in October 1922. The *Bulletin* is a record of the meetings and general activities of the various existing international institutions. The Secretariat, by means of the *Bulletin*, keeps itself in constant touch with the different public and private international organisations, acts as a central information office in making their activities known to each other and gives them a certain amount of publicity.

The "Handbook of International Organisations" published in 1922 and containing succinct information as to the number, objects, history and general activities of some 352 international organisations, whether established by private initiative or created by general treaties, has been revised in order to bring the information up to date.

II. INTERNATIONAL INSTITUTE OF COMMERCE.

In September 1922, the Council received a request from the International Institute of Commerce to be placed under the direction of the League. This body had in 1921 submitted a previous request to the effect that it might be considered as the official organ of commercial documentation of the League. It now desired merely to be placed under the direction of the League, as had been done with other associations.

The Council referred the application for examination to the Economic Committee of the League. The Economic Committee, during its seventh session in January 1923, suggested that it should be authorised by the Council to enlist the co-operation of the Institute of Commerce, as and when occasion might arise, on subjects with regard to which it might be able and willing to assist.

The Council, on January 30th, 1923, approved the proposals of the Economic Committee and requested it to examine the practical questions for which, by reason of its technical competence, the Institute might usefully be asked to give its assistance.

III. INTERNATIONAL COMMITTEE ON AGRICULTURE.

At its meeting on January 30th, 1923, the Council considered a request from the International Committee on Agriculture to be placed under the direction of the League.

Sixteen countries are represented on the Committee, which was founded in 1889 and has its seat in Paris. Its object is the study of agriculture and rural economy, and it has held eleven international congresses and published a number of valuable reports on different aspects of agriculture. The Committee was not established by a general treaty and therefore does not necessarily come under the provisions of Article 24 of the Covenant.

The Council therefore decided to request the Economic Committee of the League to examine the advisability of placing the International Committee on Agriculture under the direction of the League and to submit a report at a subsequent session of the Council.

IV. INTERNATIONAL ASSOCIATION FOR THE PROMOTION OF CHILD WELFARE.

The International Association for the Promotion of Child Welfare was established at Brussels in 1921 in accordance with a decision of the two International Congresses on Child Welfare held in 1913 and 1921. Some ten States are members of the Association, of which eight have agreed

to an international convention. The Association falls under the category of international bureaux known as "semi-public". In June 1922, it applied to be taken under the direction of the League, and this application was considered by the Council at its meeting in September 1922.

Before coming to a final decision, the Council decided to ask for further information regarding the constitution and work of the Association, and particularly whether it were possible for it to modify the constitution of its governing body — an international committee selected in July 1922, during the first ordinary session of the Association. On this Committee the majority of the members is not composed of representatives of adherent Governments but includes delegates of voluntary organisations and even private individuals.

In February 1923 the President of the Association, M. Carton de Wiart, informed the Secretary-General that the members of the international committee were not disposed to make the changes suggested by the Council, and requested that the matter be again placed before the Council. The Council reconsidered the matter on April 17th, 1923, but decided that, as various Governments seemed to take somewhat different views, the question should again be adjourned to a subsequent session in the hope of reaching a satisfactory solution.

V. INTERNATIONAL COMMISSION FOR AIR NAVIGATION.

The International Commission for Air Navigation was constituted on July 11th, 1922, under Article 35 of the Convention relating to the Regulation of Aerial Navigation dated Paris, October 13th, 1919. According to this article, "there shall be instituted, under the name of the International Commission for Air Navigation, a permanent international commission placed under the direction of the League of Nations."

Ten States have ratified the Convention, which is now in force, and the Commission accordingly comes automatically under the direction of the League. The Commission, from the nature of its work, is in close touch with the Organisation for Communications and Transit of the League.

14.

WORK OF THE COMMITTEE ON INTELLECTUAL CO-OPERATION.

PERSONNEL OF THE COMMITTEE.

The Assembly, in a resolution adopted on September 28th, 1922, expressed the hope that the Committee on Intellectual Co-operation would continue its work with the help of the most competent men of all countries to the extent allowed by the credits voted by the Assembly.

The Committee, acting in the spirit of this resolution, has made a practice of consulting experts and of appointing correspondents in various countries not represented on the Committee itself.

M. Einstein having retired from the Committee, M. H. A. Lorentz, Professor of Physics at the University of Leyden, has been appointed in his place.

ENQUIRY INTO THE POSITION WITH REGARD TO INTELLECTUAL WORK.

The Assembly, on September 28th, 1922, adopted the following resolution:

"The Assembly notes with satisfaction the resolutions by which the Council has authorised the Committee on Intellectual Co-operation to undertake an enquiry into the position with regard to intellectual work, and to appoint three sub-committees to investigate questions of bibliography, questions of inter-university co-operation, and questions of intellectual proprietary rights."

It was decided, in conformity with a resolution adopted by the Council on September 13th, 1922, that this enquiry should be undertaken by means of general questionnaires addressed to the Governments and of special questionnaires addressed to the universities, learned societies, professional associations, and certain experts in the various countries.

The questionnaire to be addressed to the Governments was approved by the Council on January 30th, 1923. The Committee asked for information concerning the State administrative organisations taking part in the direction of intellectual life in the various countries, the laws, decrees, or circulars, and the official statistical data relating to higher education, the principal scientific, literary and artistic institutions in the various countries, the international conventions relating to intellectual work and to education, and the intellectual relations of the various countries with their neighbours.

It will not be possible to terminate this enquiry before the meeting of the fourth Assembly. Numerous replies have, however, already been received, and a considerable number of these replies have come from the United States of America. The results of the enquiry will be published as soon as sufficient material has been received by the Committee.

The Work of the Sub-Committees.

The three sub-committees appointed under the Assembly resolution — the Sub-Committee on Bibliography, the Sub-Committee on Inter-University Co-operation, and the Sub-Committee on Intellectual Proprietary Rights — met for the first time at Paris in December 1922. Two sub-committees — the Sub-Committees on Bibliography and on Inter-University Co-operation — met at Brussels in March 1923 for a second session. At each session, a large number of experts were consulted.

The Sub-Committee on Bibliography has devoted special attention to the questions of analytical bibliography as an effective and rapid method of exchanging scientific information. On the proposal of Madame Curie, it adopted a number of recommendations on this subject, which have been forwarded to the competent learned bodies and bibliographical institutions. It also examined the question of bibliography limited to the titles of books, and recommended that the alphabetical index of the International Institute of Bibliography at Brussels should be used as a basis for all future work in this field.

The Sub-Committee considered a proposal for the constitution of one or more international libraries to be constituted by means of a compulsory international deposit of books. On examination there were seen to be difficulties in the way of realising such a scheme at the present moment. The Sub-Committee therefore drafted a plan for the co-ordination of existing libraries in the various countries, notably by the preparation of collective national catalogues and the encouragement of exchanges between libraries or groups of libraries.

The Sub-Committee further studied plans for various bibliographical publications and referred these plans to the meeting of the plenary committee. It has, however, already undertaken the preparatory work for the most urgent of these publications, namely, an *index bibliographicus*, giving all the information available on existing bibliographical institutions and periodicals.

The Sub-Committee on Inter-University Relations has come to the conclusion that the convening of an international university congress is not at present possible. It has, however, adopted recommendations for the exchange of professors for a more extended instruction in modern languages, literature and civilisation, and for the institution of university courses on contemporary nations.

It has studied the question of an exchange of students and of the equivalent recognition of studies and degrees, as well as international holiday courses, and is preparing definite recommendations on these questions.

The Sub-Committee regards as specially urgent the foundation of an international bureau of university information. This bureau would act as a regular connection between the national bureaux in the countries where they exist and would satisfy the requirements of the countries in which national university bureaux have not yet been established.

The Sub-Committee on Intellectual Property came to the conclusion that it was possible to develop the protection of intellectual property as at present assured and to extend it to scientific property. It instructed one of its members, M. Ruffini, to prepare a report on the subject. It is hoped that the principles defined in this report may be applied in the various countries and that they may eventually form the basis of an international convention. Some concrete cases are examined in a second report by M. de Torres Quevedo.

CONVENTIONS RELATING TO THE INTERNATIONAL EXCHANGE OF PUBLICATIONS.

The Assembly, on September 28th, 1922, adopted the following resolution:

“The Assembly decides to send an appeal to all countries which have not yet accepted the Conventions relating to the international exchange of publications, signed at Brussels on March 15th, 1886, asking them to give their adhesion thereto.”

The Council, in accordance with this resolution, instructed its President, at a meeting held on October 4th, 1922, to address an appeal to all the countries which had not yet accepted the Conventions. The appeal was despatched on November 20th, 1922. Several Governments (Germany, Finland and Lithuania) have informed the Council that they will give the matter favourable consideration. Roumania has declared herself ready to adhere to the Convention. It appears, however, from replies which have been received from several other Governments, in particular, the Government of the British Empire, that the Conventions of 1886 do not entirely

correspond with the practical needs of the moment and that it accordingly seemed advisable to study the possibility of improving them. These improvements would meet the wishes of the majority of the States to avoid an unduly considerable expenditure.

The Sub-Committee on Bibliography has studied this question in detail and has consulted the Director of the *Service belge des échanges*, which, from the outset has in practice played an important part in the organisation of these exchanges. It decided to obtain information from the directors of the various national services as to the conditions of their work and as to the reforms which appeared to them desirable. This enquiry may serve as a basis for a conference of the directors of the national bureaux.

CONDITIONS OF INTELLECTUAL LIFE IN COUNTRIES WHERE IT IS ESPECIALLY ENDANGERED.

The Assembly, on September 28th, 1922, adopted the following resolutions:

“(a) The Assembly has noted with much interest the detailed investigations carried out by the Committee on Intellectual Co-operation regarding the conditions of intellectual life in countries where its continuance is especially endangered. The Assembly invites the Council to follow up this important question within the limits proposed by the Committee on Intellectual Co-operation.

“(b) The Assembly invites the Council to stimulate an intellectual co-operation based upon international solidarity, in order to procure scientific books and documents for the universities and schools of those countries which, as a result of war, have been deprived of them and which have not sufficient resources to acquire them.”

The Council considered the questions raised by these resolutions at a meeting held on October 4th, 1922. It drew a distinction between the position in Austria, which was particularly difficult and which called for immediate and effective assistance, and that of the other countries of Central and Eastern Europe. It instructed the Committee on Intellectual Co-operation to choose an Austrian correspondent, and it asked the Committee to address an appeal on behalf of Austria to the institutions and learned societies of all countries.

The Committee chose for its Austrian correspondent Professor Dopsch, of the University of Vienna. Professor Dopsch is forwarding to the Committee periodical and detailed reports on his activity and is preparing a general review on the position of intellectual life in Austria.

The appeal on behalf of Austria was issued on November 4th, 1922. Some 1,000 copies were printed and despatched.

The Committee has received numerous replies to this appeal from various countries, including Belgium, France, Great Britain, Greece, India, Italy, Japan, Spain, Sweden and the United States. The replies indicate that a considerable number of institutions are making a serious effort to come to the assistance of Austria, particularly by the despatch of scientific publications.

The Council, in considering the position of the other countries where intellectual life was especially endangered, asked the Committee to present detailed proposals as to the most effective means of ascertaining their requirements and of informing those which might be prepared to assist.

The Committee, in accordance with these instructions, submitted a definite plan which was approved by the Council on January 30th, 1923. The Committee has since taken steps to put this plan into effect. It has invited institutions in the various countries to serve as intermediary between the Committee and the intellectuals of the various countries. These institutions have consented to assist the Committee in its enquiry and to inform it of the most urgent requirements of scientific bodies and of intellectual workers in general. Local institutions are assisting the Committee in Albania, Austria, Bulgaria, Czechoslovakia, Esthonia, Finland, Greece, Hungary, Latvia, Lithuania, Poland, Roumania and the Kingdom of the Serbs, Croats and Slovenes. In the majority of cases the local institutions have formed national committees on intellectual co-operation which are in regular communication with the Committee of the League of Nations. The Committee has also transmitted requests coming from the Free City of Danzig and has collected information on the situation of intellectual workers in Germany.

The correspondence with these institutions shows that in a majority of the above countries intellectual life has been immensely stimulated since the war, but that it is impeded not only by material difficulties but by the difficulty of keeping intellectually in touch with other countries. These countries find themselves deprived of the scientific and literary publications of other countries owing to the unfavourable exchange. Their intellectual workers feel it urgently necessary to complete their professional education abroad, and this again is practically impossible owing to the crisis in the exchanges. There is a corresponding difficulty in publishing the results of scientific work which is done in these countries. Information as to their requirements has been forwarded by the Secretary of the Committee on Intellectual Co-operation to the institutions which, in the western countries, are dealing with intellectual exchanges and intellectual assistance for countries less fortunately situated. In special cases the Committee has addressed a direct appeal to the scientific institutions producing the publications required. In some cases these appeals have resulted immediately in the despatch of scientific publications to the countries in need of them.

ANNEX 5 (a).

SUPPLEMENTARY REPORT TO THE FOURTH ASSEMBLY OF THE LEAGUE ON THE WORK OF THE COUNCIL, ON THE WORK OF THE SECRETARIAT AND ON THE MEASURES TAKEN TO EXECUTE THE DECISIONS OF THE ASSEMBLY.

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I.

PRESENT SITUATION AS REGARDS INTERNATIONAL ENGAGEMENTS REGISTERED WITH THE SECRETARIAT OF THE LEAGUE.

I.

A special annex¹ to the present report is being issued, which will give a complete and general view of the progress achieved in the registration of international engagements. Its publication has been delayed until the last minute, in order to take account of events up to September 1st, 1923.

II.

REGISTRATION AND PUBLICATION OF TREATIES AND INTERNATIONAL ENGAGEMENTS.

(Article 18 of the Covenant.)

The registration of treaties by the Secretariat has been carried out in accordance with the method laid down in the Council's Memorandum of May 19th, 1920. The number of international engagements forwarded for registration between that date and September 1st, 1923, is 469.

They may be classified as follows:

From May 19th, 1920, to May 19th, 1921	112
» May 19th, 1921, to May 19th, 1922	151
» May 19th, 1922, to May 19th, 1923	161
» May 19th, 1923, to September 1st, 1923	45
Total	469

The rules laid down in the Council's Memorandum on the registration and publication of treaties may be summarised as follows:

Paragraph 1 binds the Members of the League of Nations to submit treaties for registration, and particularly emphasises the importance of the publicity to be given to such treaties:

"Publicity has for a long time been considered as a source of moral strength in the administration of national law. It should equally strengthen the laws and engagements which exist *between nations*. It will promote public control. It will awaken public interest. It will remove causes for distrust and conflict. Publicity alone will enable the League of Nations to extend a moral sanction to the contractual obligations of its Members. It will, moreover, contribute to the formation of a clear and indisputable system of international law."

Paragraph 2 contains an extensive and detailed interpretation of the principles upon which Article 18 is based.

Paragraph 3 further defines the scope of Article 18, which applies not only to treaties of every description, but also to any other international engagement intended to bind nations, or their Governments, whether it be a treaty, a convention, a renewal of a treaty, a denunciation of a treaty, or an accession to a treaty, etc.

Paragraph 4 fixes January 10th, 1920, as the initial date for compulsory registration. With regard to treaties entered into before that date, registration depends entirely upon the will of the contracting parties.

Paragraph 5 fixes the date upon which a treaty must be submitted for registration; it should be observed that it has been decided, for various reasons, to extend registration, which is optional in this case, to treaties not yet formally concluded

¹ See pages 174-190.

Paragraph 6 lays down the form in which treaties must be submitted for registration. Provision has been made for the case where a request for registration is communicated by telegram.

Paragraph 7 provides that certificates of registration shall be delivered to the interested parties.

Paragraph 8 provides that either of the contracting parties may, at will, present a treaty for registration.

Paragraph 9 is intended to ensure the automatic publication of treaties which are to be registered, and gives the general outline of the methods to be employed for such publication.

Paragraph 10 gives a detailed statement of the method of entering on the registers of the Secretariat the engagement submitted for registration, and provides for the preparation of a general index of the treaties.

Paragraph 11 deals with the conventions which are entrusted to the Secretary-General on account of their special nature: draft labour conventions, etc.

According to *Paragraph 12*, the terms of Article 18 cover not only treaties concluded between Members of the League of Nations, but also engagements entered into by a Member of the League with a State not Member of the League.

Paragraph 13, with a view to developing the system of registration, makes an appeal for the collaboration of States, or communities which are not as yet Members of the League of Nations.

The Secretary-General of the League of Nations further stated in the memorandum that he would be glad to receive any suggestions for the improvement of the plan which he had submitted to the Council.

This method of procedure has been interpreted in various ways by some of the States Members of the League of Nations, but it may be stated that, in the majority of cases, authentic copies of the treaties, with all the necessary data for carrying out the registration requested, have been submitted to the Secretariat, in accordance with the procedure laid down in the memorandum.

The 469 international engagements registered to date are of widely varying types. In the first place, there are general international agreements and adhesions to these agreements, *e. g.*, agreements on industrial, literary, and artistic property and on goods traffic by rail, the Madrid Postal Conventions, the White Slave Traffic Arrangement and Agreement, the International Radiotelegraphy and International Sanitary Conventions, the South American Sanitary Convention, the Opium Convention, etc. This class also includes agreements of special interest to the Members of the League such as that on the Permanent Court of International Justice, the Instruments of the Barcelona Conference on Communications and Transit, etc.; we may also include in this class treaties of peace between individual States which are, however, matters of general concern, *e. g.*, the various Treaties of Peace concluded with Germany, Austria-Hungary, etc. and the Treaties establishing a state of peace between various Members of the League of Nations and Russia.

To the second class belong treaties and conventions of a more special type.

It would be a difficult matter, in view of the diversity of their contents, to state the number of engagements which have been registered, but which are not general in character.

The main engagements in this class are bilateral conventions regarding aerial navigation, sanitary conventions, conventions on the delimitation of frontiers, postal, telegraph and telephone conventions, conventions on emigration and on the exchange of civilian prisoners and prisoners of war, conventions regarding insane persons, consular treaties, treaties regarding the settlement of debts, arbitration, option for nationality, on the importation of opium, morphine and similar drugs, economic and commercial agreements, political agreements, agreements for defensive alliances, etc. There are others, again, which deal with double taxation, inherited property, commissions of enquiry, transport, accidents to workers during employment, labour, emigration and labour, relief, tonnage, measurement of merchant vessels, wines and spirits, submarine cables, etc.

All these instruments are published in the League of Nations *Treaty Series* in the original languages with translations in French and English. Analytical and alphabetical indexes are published periodically. So far, 12 volumes each of more than 450 pages containing 341 treaties, have been published, and further volumes will appear shortly. Two indexes have also been published.

These excellent results must be attributed not only to the regular and satisfactory manner in which Members of the League of Nations have complied with their obligations as regards the registration of treaties, but also to the fact that certain States not Members have responded to the Council's appeal in its Memorandum of May 19th, 1920, and have sent to the Secretariat various agreements concluded by them: Germany and — before their entrance into the League — Latvia, Finland, Hungary and Lithuania.

2.

LEGAL QUESTIONS.

AMENDMENT OF ARTICLE 10 OF THE COVENANT.

The Council, on January 29th, 1923, instructed the Secretary-General to invite the Members of the League to submit any observations they might wish to make on the Canadian proposal for the amendment of Article 10 of the Covenant by June 1st, 1923, and to place the question on the agenda of an early session of the Council to be held after that date¹.

The Council again considered the matter at its July session. Replies from several Governments had been received. On July 7th the Council adopted the following resolution:

"The Council, having taken note of the observations made by the various Governments with regard to the amendment to Article 10 of the Covenant, which was proposed by the Canadian delegation at the third Assembly:

"Decides to request the Secretary-General to bring the replies of the Governments to the notice of the fourth Assembly; and

"Postpones taking a decision on the procedure to be adopted with regard to the Canadian amendment until a subsequent session of the Council."

3.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

I. NATIONALITY DECREES IN TUNIS AND MOROCCO.

As a result of the opinion of the Court concerning the Nationality Decrees in Tunis and Morocco², negotiations took place between the Governments of London and Paris. These negotiations resulted in an arrangement which is embodied in correspondence between Lord Curzon and the Comte de Saint-Aulaire, the French Ambassador in London. The arrangement provides that proceedings before the Court shall cease subject to the following conditions. The French Government will take, before January 1st, 1924, any steps which may be necessary to give to a British subject born in Tunis of a British subject who was himself born in that country the right to decline French nationality. This right, however, will not extend to the succeeding generations. A child born in Tunis of a British subject, himself born elsewhere than in Tunis, will not be claimed as a French national by the French Government, and French nationality will not be imposed on any British subject born in Tunis before November 8th, 1921, without an opportunity being given him to decline such nationality. No attempt will be made to impose on British subjects in Tunis the nationality of Tunis in place of French nationality. The principle of the arrangement will not apply elsewhere than in Tunis. The Governments, in consenting to stop the procedure before the Permanent Court of International Justice, declare that they do not abandon their respective points of view as previously expressed.

As regards Morocco, it is understood that the application to British subjects of the decrees promulgated in that country will not at present give rise to any procedure at The Hague, as the question does not present immediate practical interest.

¹ See Annex 5, page 190.

² See Annex 5, page 192.

As the agent of the French Government had requested the Court to note a proposal made by France to Great Britain with a view to submitting the whole question to the judgment of the Court, the Court was duly informed of this arrangement between the two Governments. The Court took formal note of the arrangement at the public meeting with which its third ordinary session opened in June 1923.

II. THE CASE OF SS. "WIMBLEDON."

The written documents in the case of ss. *Wimbledon* were all deposited with the registry of the Court within the period fixed. (General Report A. 10, p. 12). The case was therefore ready to be heard orally on June 15th, 1923.

The Polish Government had, as already noted, filed a request to be allowed to intervene as a party to the case by the side of the Allied Powers. The Polish Government based its request to intervene on Article 62 of the Statute, where it is said that: "Should a State consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit a request to the Court to be permitted to intervene as a third party. It will be for the Court to decide upon this request."

The parties submitted their observations on this request, and on June 28th, 1923, the Court, having heard the representatives of the interested countries, gave a decision, in which it noted that Poland, without insisting on the grounds for intervention based upon Article 62 of the Statute, wished to avail herself of the right to intervene which she derived from Article 63 of the Statute as a signatory of the Treaty of Peace. The Polish Government, as a result of this decision, appointed M. Olechowski as its agent.

The hearing of the case before the Court began on July 5th, 1923.

The decision of the Court was read at a public meeting held on August 17th, 1923. The decision rendered by the majority of the nine judges, was as follows:

"For these reasons,

"The Court,

"Having heard both parties:

"Declares that the suit brought before it by the Governments of His Britannic Majesty, of the French Republic, of His Majesty the King of Italy and of His Majesty the Emperor of Japan, and in which the Government of the Polish Republic has intervened, has been validly submitted by all the parties;

"And passes judgment to the following effect:

- "1. That the German authorities on March 21st, 1921, were wrong in refusing access to the Kiel Canal to the ss. *Wimbledon*;
- "2. That Article 380 of the Treaty signed at Versailles on June 28th, 1919, between the Allied and Associated Powers and Germany, should have prevented Germany from applying to the Kiel Canal the neutrality Order promulgated by her on July 25th, 1920;
- "3. That the German Government is bound to make good the prejudice sustained by the vessel and her charterers as the result of this action ;
- "4. That the prejudice sustained may be estimated at the sum of 140,749 frs. 35 centimes, together with interest at 6 % per annum from the date of the present judgment ;
- "5. That the German Government shall therefore pay to the Government of the French Republic at Paris in French francs the sum of 140,749 frs. 35 centimes with interest at 6 % per annum from the date of this judgment ; payment to be effected within three months from this day ;
- "6. And that each party shall bear its own costs."

M. Anzilotti and M. Huber were unable to associate themselves with the opinion of the majority of the Court, and claimed their right to annex to the decision of the Court a statement of their personal opinion. The same right was claimed by M. Schücking, the German national judge.

The decision is based on the general rule contained in Article 380 of the Treaty of Versailles, from which it follows, in the opinion of the Court, that the Kiel Canal has ceased to be an internal navigable waterway, *i.e.*, a waterway which may only be used by vessels of Powers other than the riparian State subject to the decision of the riparian State.

The rule contained in Article 380, by indicating that the Canal is open to nations at peace with Germany, contemplates the hypothesis of a future war in which Germany may participate. If it had been the intention of the Treaty that the regulations covering access to the Canal were also to be affected in the event of a conflict between two Powers remaining at peace with the German Empire, the Treaty would not have failed to say so explicitly. The Treaty had not done so, because it had not this intention. It follows that the general rule establishing freedom of access is also applicable in the event of the neutrality of Germany.

The fact that a special section of the Treaty was devoted to the Kiel Canal, and that in this section certain provisions were repeated regarding the internal navigable waterways of Germany showed that the provisions relating to this Canal were sufficient in themselves, and that there was no occasion to apply to the canal, regulations drawn from other articles of the Treaty, which dealt, for example, with the regime of internal navigable waterways in the event of the neutrality of the riparian State.

It was contended before the Court that the interpretation given in the preceding paragraphs to the provisions relating to the Kiel Canal would involve the abandonment by Germany of an

essential element of her sovereignty, which she was unable to surrender, namely, the right to safeguard her neutrality.

The Court, however, considered that, in accordance with a general understanding, when an artificial waterway affording communication between two free seas had been permanently devoted to the use of the whole world, such a waterway was assimilated to the position of natural straits, in the sense that the passage, even of belligerent warships, did not compromise the neutrality of the sovereign State under whose jurisdiction the navigable waters concerned were situated. The President of the German Delegation had explicitly declared, in a note to the President of the Conference of Ambassadors, that the German Government only claimed to apply to commercial vessels, and not to vessels of war, the rules of neutrality which it had proclaimed; *a fortiori*, the passage of neutral ships carrying contraband of war could not be held to imply, on the part of Germany, a failure to fulfil her duties as a neutral.

The Court considered that the German neutrality decrees could only apply to the territory which was not affected by the limitations imposed on Germany as regards the Kiel Canal, and that these limitations, having been accepted by Germany in the exercise of her sovereignty, could not be incompatible with this sovereignty.

III. GERMAN MINORITIES IN POLAND.

The question put to the Permanent Court of International Justice by the Council on the subject of the German farmers in Poland (for the text of this question, see section on Minorities of the present report) was duly communicated by the Court to the Members of the League of Nations, as well as to the Governments which were in a position to furnish information on the question, including the German Government.

The Polish Government asked to be heard on the subject, and appointed as its agent Sir Ernest Pollock, former Attorney-General of Great Britain, and Count Rostworowski, Professor of the Faculty of Law at Cracow, Sir Ernest Pollock being assisted by M. Fachiri. It also forwarded to the Court a series of documents and memoranda containing the views of certain eminent jurists on the subject.

The German Government also deposited a memorandum on the question with the Registrar of the Court, and the Court informed the German Government through the German Minister at The Hague that it would be ready to hear orally any further information with which it might desire to furnish the Court. The German Government thereupon appointed as its agent M. Schiffer, former Minister of Justice, who had represented Germany in the case of *ss. Wimbledon*.

Count Rostworowski made before the Court a preliminary statement, in which he confined himself to dealing with the question from the point of view of the competence of the Council. Sir Ernest Pollock subsequently went into the substance of the question. M. Schiffer, in reply to Sir Ernest Pollock, made a statement to which Count Rostworowski and Sir Ernest Pollock briefly replied. A final statement by M. Schiffer concluded the hearing of the Court on this question.

The decision of the Court will be announced later at a public meeting.

IV. EASTERN CARELIA.

Following the notification made by the Registrar of the Court to the Members of the League of Nations and to the Government of the Soviets of Russia (See Annex 5, page 194), the Finnish Government asked to be heard on the question of the interpretation of the Russo-Finnish Treaty of Dorpat referred to the Court by the Council of the League of Nations. The Finnish Government appointed as its agent M. Erich, former President of the Council, and as deputy-agent M. Saastamoinen, Chargé d'Affaires at The Hague.

The Russian Government refused by telegram to take any part whatever in the proceedings before the Court. It declared that it found it quite impossible to take any part whatsoever in the "proceedings devoid of legal value, both in substance and in form", to which the Court wished to submit the Carelian question. It gave, at the same time, reasons of law and of fact in order to justify its attitude.

The Court heard M. Erich on June 22nd, 1923, having informed him that it wished to know his opinion on the question whether the Court was competent to take action on the request which had been addressed to it. M. Erich spoke a second time on this subject at a public meeting held on June 26th. The Court gave its reply to the question which had been raised on July 23rd, 1923.

The majority of the Court, composed of seven judges, regretfully concluded that the Court was incompetent to express an opinion. The four other judges declared that they could not share this view. The majority based their opinion on the fact that, as the point submitted to the Court for its opinion was a subject of dispute between two States, a reply by the Court would be equivalent to a decision of this dispute, though Russia was not a party to the pleadings. It did not seem possible for the Court to express an opinion on a dispute which had actually arisen between a Member of the League of Nations and a State which was not a Member of the League without the consent of the latter, a view which appeared to be implicit in the principle of the independence of States, as expressed in Article 17 of the Covenant. Moreover, a reply to the question which had been raised would render an enquiry on certain points of fact indispensable, and the Court would have been singularly embarrassed in conducting such an enquiry successfully without the concurrence of Russia.

V. NEW REQUEST FOR AN ADVISORY OPINION WITH REGARD TO CERTAIN INDIVIDUALS OF GERMAN RACE IN THE TERRITORIES RECENTLY CEDED TO POLAND.

The Council, during its session of July 1923, forwarded to the Permanent Court a new question concerning the position of individuals of German race in the territories recently ceded to Poland. The Council begged the Court to deal with the matter if possible during its present session.

The Members of the League of Nations, as well as the United States of America and Germany, had been notified of this request for an opinion. All these States had therefore the right to ask the Court to be allowed to furnish information on the subject. The Court had informed the interested parties that it would deal with this question as from August 27th, 1923.

FINANCIAL ADMINISTRATION OF THE LEAGUE.

I. GENERAL ADMINISTRATION.

The only development of note during the period under review was the repayment by the International Labour Office, on July 31st, of approximately the total amount it had borrowed from the Secretariat's share of the working capital fund during 1923. It may also be mentioned that, generally speaking, there was an improvement in the payment of contributions by the States Members of the League as compared with the corresponding period of last year.

The negotiations which were entered into with certain Central American States with a view to the payment of their overdue contributions in accordance with the general principles approved by the Supervisory Commission at its May session have developed satisfactorily and several of these States have undertaken to liquidate their arrears by instalments on the basis of the scale of allocation approved by the Third Assembly.

During the month of June, the two properties which had been so generously offered during the Third Assembly by the Swiss Confederation and by the Canton and City of Geneva, were handed over to the League and accepted by the Secretary-General in accordance with a resolution of the Council¹.

II. WORK OF THE SUPERVISORY COMMISSION.

In accordance with the decision it had taken at its second annual session, the Supervisory Commission met at Paris on June 26th.

In the light of the decisions of the Assembly and the Council, it again examined its duties towards the League and public opinion, and subsequently approved the budget of the International Labour Organisation in the form in which it had been adopted by the Governing Body of the Labour Office. It insisted, however, that the vote covering the interest on the loan for the construction of the proposed new building should be included in the budget of the Office, and not in the general budget of the League.

As it was not certain in which country the pensions fund would be established, the Commission did not think it desirable to recommend to the Assembly detailed regulations in regard to it.

The Commission approved for submission to the Assembly a certain number of amendments to the financial regulations and recommended that a small Salaries Adjustment Committee should be set up to determine the variations to be made in the salaries of the officials of the Registry of the Permanent Court of International Justice.

III. THE WORK OF THE COUNCIL IN CONNECTION WITH THE FINANCES OF THE LEAGUE.

At its twenty-fifth session, the Council considered the budget for 1924, the accounts for 1922, and the various other documents on financial questions which had been submitted to it by the Supervisory Commission.

¹ The donations have been accepted in virtue of the resolution of the Assembly of September 29th, 1922, and the resolution of the Council of February 5th, 1923.

(a) The deed of donation of property situated at 154 route de Lausanne was signed at the Secretariat on June 18th, 1923, transferring the property from the Federal Government to the League. By decision of the third Assembly the site is to be used for the construction of the new Labour Office.

(b) The deed of donation of the Armleder property was signed on June 27th, 1923, at the Secretariat. By this deed the property was transferred by the Canton and the City of Geneva to the League. The site is available for the construction of an Assembly Hall or other purposes.

The French representative on the Council requested on behalf of his Government that the budget should be re-examined by the Secretary-General, and that new draft estimates should be submitted to the Supervisory Commission, which should prepare a report to be presented to the Council for examination at the session taking place immediately prior to the Assembly.

The French Government was bound in the matter by the demands of the Parliamentary Committees and by the votes of the Chambers. For the first time the French budget had been balanced; but, to do this, great sacrifices had been made involving hardships in many cases.

The British representative felt sure that, while his Government would desire to support any economies which could reasonably be made in the budget of the League without diminishing the efficiency of the organisation, it must nevertheless be remembered that an extremely complicated machinery had been set up to supervise the expenditure of the League, and considerable reduction had already been made by the Secretary-General and by the Supervisory Commission. The Council should not hastily commit itself to a statement that the figures were not satisfactory, since it had not had an opportunity of examining them with the care which was necessary to justify it in offering criticisms. In conclusion he pointed to specific pecuniary benefits which had been derived by certain States Members owing to the action of the League.

The Secretary-General, comparing the ordinary expenditure of the budget of the Secretariat and the special organisations of the League for 1923 with the budget for 1924, pointed out that a reduction of 12% had already been made. He did not believe that further reduction could be made without adversely affecting the essential work of the League or the efficiency of the Secretariat, and quoted the report of the Supervisory Commission in favour of this opinion.

The French representative said that his Government did not in any way wish to modify the policy of the League, but it was of opinion that reductions could be made in the sections whose work was not of a political character. The Supervisory Commission did not appear to be unanimously of opinion that no further reductions could be made.

After an exchange of views, the Council decided that it would forward to the Assembly the various documents which had been submitted to it, reserving entirely the rights of its representatives during the Assembly. It directed the Secretary-General to send to the States Members the minutes of the discussion which had taken place regarding the finances of the League.

IV. LOAN FOR CONSTRUCTION OF NEW BUILDINGS FOR THE INTERNATIONAL LABOUR OFFICE.

In accordance with decisions taken by the third Assembly, the Council, at its twenty-fifth session, authorised the Secretary-General to ascertain what were the terms on which a loan could be obtained for the purpose of erecting premises for the International Labour Office on the site which had been so generously given to the League by the Swiss Confederation. It further instructed him to submit to the Council at its next session particulars of the measures suggested. Finally it agreed that a limited advance might be made to the Director of the International Labour Office from the Working Capital Fund for the purpose of commencing building operations, on the express condition that the amount so advanced should be repaid to the Working Capital Fund not later than December 31st, 1923. It was understood that the advance from the Working Capital Fund would be contingent on the loan being approved by the Council.

As a result of negotiations which were entered into with a number of financial establishments, three definite offers were received from leading banks, and the question of the loan has been placed on the agenda of the twenty-sixth session of the Council.

5.

REDUCTION OF ARMAMENTS.

ACTION TAKEN ON THE RESOLUTIONS OF THE THIRD ASSEMBLY.

(The following notes should be regarded as supplementary to those contained in the section on the reduction of armaments of the General Report on the Work of the Council (See Annex 5, pages 198-204).

Resolution No. I: Work of the Temporary Mixed Commission and its Collaboration with the Permanent Advisory Commission.

The Permanent Advisory Commission met at Geneva in July 1923, and the Temporary Mixed Commission met at Paris in August 1923.

Resolution No. II: Reduction in Expenditure on Armaments.

The Council at its June session decided to postpone any decision on this question in order to enable the Assembly to proceed to a new examination of the subject in the light of the observations presented by the Temporary Mixed Commission.

Resolution No. III: Statistical Enquiry.

At the last session of the Temporary Mixed Commission held in August, 1923, the Secretariat informed the Commission that by July 26th, 1923, twenty-two Governments had replied to the questionnaire.

A report is being prepared by the Secretariat which will be distributed to the Council and to the Assembly.

Resolutions Nos. IV, V and VI: Surplus Stocks of Munitions; Private Manufacture of Arms; Control of the International Traffic in Arms.

The Council at its June session adopted the following resolution:

“The Council,

“Having examined the resolution adopted by the Temporary Mixed Commission recommending that the Governments of all States not Members of the League of Nations should be invited to state their views as to the manner in which they would be willing to co-operate in the solution of the problem of the traffic in arms and ammunitions and of the private manufacture of arms,

“Approving the principle of this resolution without at the same time prejudging the obligation which certain of these Governments have undertaken in the Treaties of Peace:

“Considers it advisable to postpone its decision on the matter until such time as the reply from the United States Government to the letter addressed to it by the President of the Council on May 1st, 1923, is received.”

On July 26th, 1923, the United States Legation at Berne wrote on behalf of its Government to the Secretary-General of the League of Nations stating that it was instructed to inform him that the matter was receiving the consideration of the United States Government and that a reply would be sent in due course.

Resolution No. VII: Chemical Warfare.

The Temporary Mixed Commission, at its eighth session, held in August, 1923, noted that it was not possible to publish a report on chemical warfare before the meeting of the Assembly. The report will co-ordinate the views of the various experts on the question. It will be published when the information to be embodied has been received.

Resolution No. VIII: Requirements of National Security.

The Temporary Mixed Commission has noted the report which it asked the Secretariat to prepare in June; the report specifies the omissions which appeared in the replies of certain Governments to the enquiry recommended by the Assembly (See Annex 5, page 201).

Resolution No. IX: Exchange of Information.

The Council decided in July to authorise the Secretariat to publish a year-book in order to carry out the intentions of the last paragraph of Article 8 of the Covenant. The year-book was to begin with an experimental volume dealing with the figures for 1923, and the publication was to be developed by degrees according to the experience acquired, it being clearly understood that the information would be drawn solely from official and public documents, and that the programme of the year-book would exactly correspond to the terms of the last paragraph of Article 8 of the Covenant.

The Temporary Mixed Commission, during its August session, noted that the Council in taking this decision had thereby approved the resolution adopted by the Commission in June 1923 (See Annex 5, page 201).

Resolution No. XII: Extension of the Principles of the Washington Treaty.

The Council, during its July session, again postponed consideration of this question (See Annex 5, page 202).

Resolutions Nos. XIII, XIV and XV: Scheme for a Reduction of Armaments; Treaty of Mutual Guarantee; Regional Agreements.

The Temporary Mixed Commission, during its August session, adopted an opinion concerning the question of demilitarised zones. This opinion is contained in the report of the Temporary Mixed Commission to the Assembly (A. 45).

The Permanent Advisory Commission has examined the draft scheme of Colonel Réquin for the Treaty of Mutual Guarantee (See Annex 5, page 203). It considered that the scheme

presented by Colonel Réquin was in conformity with resolution No. XIV of the Assembly, and that, while it contained in substance the principles which were regarded as essential by the Permanent Advisory Commission, it appeared from the practical point of view to provide a fruitful basis for the application of a scheme of mutual assistance leading to a reduction of armaments.

The Italian, Spanish and Japanese Delegations, on the other hand, expressed the opinion that this scheme seemed especially designed to favour partial treaties, and that these agreements would lead to military coalitions which, instead of facilitating the reduction of armaments, would render it more difficult.

Special reservations were made in regard to the "déclenchement automatique" of these treaties (application of the *casus foederis* without waiting for the decision of the Council).

The schemes of Lord Robert Cecil and of Colonel Réquin were taken as a basis of discussion by a special committee of the Temporary Mixed Commission which, presented a draft treaty for consideration at a plenary session of the Temporary Mixed Commission. This draft treaty, after slight amendments introduced by the Temporary Mixed Commission, served as a basis for the final draft contained in the report of the Temporary Mixed Commission to the Assembly (Document A. 45).

6.

POLITICAL QUESTIONS.

EXPROPRIATION BY THE ROUMANIAN GOVERNMENT OF THE IMMOVABLE PROPERTY OF HUNGARIAN OPTANTS.

The Council on April 23rd, 1923, passed a resolution regretting that it could see no present prospect of agreement between the Government of Roumania and the Government of Hungary regarding the expropriation by the Roumanian Government of the immovable property of Hungarian optants. It remitted the question for further consideration at its next session, and expressed the hope that M. Adatci would continue to act as Rapporteur, trusting that the two Governments would direct their best efforts towards a settlement.

(For previous history, see General Report to the Fourth Assembly: A. 10. 1923, pp. 31-34).

M. Adatci, acting upon this resolution, invited the delegates of the two Governments to meet him at Brussels on May 26th, 1923. Count Csáky and M. Gajzágó represented Hungary and M. Titulesco represented Roumania.

It was agreed to take as a basis of discussion the various points raised in the request of the Hungarian Government, dated March 15th, 1923.

These points were defined as follows:

"(1) Discrepancy between the Roumanian Agrarian Law and the provisions of the Treaty of Trianon laying down the right of Hungarian optants to keep their immovable property situated in territory ceded to Roumania.

"(2) Aggravation of the wrong caused to Hungarian optants in consequence of the provisions regarding absenteeism laid down in Roumanian law in Transylvania.

"(a) Discrepancy between the provisions of the Treaty compelling Hungarian optants to transfer their domicile outside Roumanian territory, and the provisions of Roumanian law in Transylvania providing for the total expropriation of owners who have been absentees for a prescribed period.

"(b) Cases of Hungarian optants who have been absentees for the period provided by law owing to *force majeure* resulting from the occupation of territory by Roumanian troops.

"(3) The question of the amount of compensation to be allowed to expropriated property owners. If prices based on those of 1913 are adopted, Hungarian optants will lose the difference between the nominal value of the expropriated property, as estimated on the figures for that period, and its actual value to-day.

"(4) Provisions of Article 18 of the Roumanian Constitution.

"This article lays down that Roumanian subjects only may acquire or keep country estates in Roumania, while, by the provision referred to above of the treaty of Trianon, Hungarian optants may keep their immovable property in Roumanian territory."

A fifth paragraph was added in interpretation of a statement contained in the request of the Hungarian Government to the effect that there were doubtless a number of other provisions of the Roumanian Agrarian Law which prejudiced the rights of the Hungarian optants. In support of this statement, the Hungarian delegates complained of certain exceptions and discrepancies in the legislation applied to Transylvania and to the old kingdom of Roumania respectively, which were alleged to favour the Roumanian landowner as compared with the Hungarian optant.

These points were discussed by the representatives of the two Governments in the presence of M. Adatci, and in the minutes of the discussions certain statements in regard to them were

recorded. It was, for example, admitted that the Treaty did not preclude the expropriation of the property of optants for reasons of public welfare, including the social requirements of agrarian reform — the Hungarian representative, however, reserving the right of this Government to maintain its objection to certain clauses in the Transylvanian Land Act. It was further noted that the period of absence provided for by the Roumanian law was not identical with the period fixed in the Treaty, and that there was accordingly no formal contradiction between the two texts. The Hungarian representative, however, again observed that Magyar landowners leaving Transylvania at the moment of the occupation of that province by the Roumanian army had acted only in anticipation of the option clause of the Treaty.

The Roumanian representative, referring to Hungarian optants, who were alleged to be compulsory absentees owing to the occupation of territory by the Roumanian troops, said that, if such cases had occurred and had not been settled by means of a judicial decision, he was sure that the persons concerned would be accorded individually full justice, within the limits of the Roumanian law.

The Hungarian representative said that his Government was most desirous to enter into negotiations with the representative of Roumania on the two essential points of the dispute, namely, the limit of expropriation and the amount of compensation to be granted to the Hungarian optants. It was not, however, possible to arrive at any compromise on the question of compensation as, in the opinion of the Roumanian delegate, such a compromise could not be reached without creating a privilege in favour of the Hungarian optants.

The Roumanian delegate declared that his Government had no intention to apply to Hungarian optants, who had already lost part of their property under the Land Act, the provisions of Article 18 of the Constitution. He further stated that, if the agrarian law of Transylvania had been interpreted in a different manner for Hungarian optants than for Roumanian subjects, each individual case, when brought to the notice of the Roumanian Government, would be considered separately in order to ensure equal treatment for all, in conformity with the intentions of the law. He would, however, reserve his formal declaration to the Council on these two points until he knew that the negotiations had reached a satisfactory conclusion. He also reserved the right of his Government to prevent further observations on points which had not been fully explained in its first request.

M. Adatci¹ drew up a report for the Council containing the minutes of the negotiations and a draft recommendation addressed to the two Governments. The draft recommendation was as follows:

“The Council, taking note of the various declarations contained in the minutes attached to the report of the Japanese representative, hopes that both Governments will do their utmost to prevent the question of Hungarian optants from becoming a disturbing influence in the relations between the neighbouring two countries.

“The Council is convinced that the Hungarian Government, after the efforts made by both parties to avoid any misunderstanding on the question of optants, will do its best to reassure its nationals;

“And that the Roumanian Government will remain faithful to the Treaty and to the principle of justice upon which it declares that its agrarian legislation is founded by giving proof of its goodwill in regard to the interests of the Hungarian optants.”

The Rapporteur, in addressing these documents to the Council, stated that they had been carefully examined by the representatives of Hungary and Roumania, who, having received full powers to negotiate, had accepted and initialled them.

The Hungarian Government, however, on June 12th, 1923, sent to M. Adatci a memorandum stating that it considered that the negotiations at Brussels had failed. It further declared that its representative, in signing a portion of the text of the draft resolution contained in the report of M. Adatci had exceeded his powers, which were only for negotiation with the representative of Roumania, and that it could not therefore accept this resolution. It contented that the resolution in no way solved the problem, but merely offered political suggestions, which were outside the scope of the question. It concluded by requesting M. Adatci to repeat at the forthcoming session of the Council the proposals which he had submitted to the Council on April 23rd, namely, that the Permanent Court of International Justice should arbitrate, or, if Roumania still refused to accept this procedure, that the Court should be asked to give an advisory opinion.

M. Adatci, replying to the memorandum of the Hungarian Government, represented that the negotiations at Brussels, far from having failed, had led to certain results which might assist in the solution of the difficulties which had arisen between the two countries, and that the representatives of the two parties duly authorised for that purpose had arrived by common agreement at certain conclusions, on a number of points. These points of agreement were recapitulated in the report as formally approved by the representatives of both parties.

M. Adatci added that, in his opinion, it would be useless to repeat at the next meeting of the Council the proposals which he had made without success on April 23rd.

The Council resumed its examination of the question at two public meetings held on July 5th, 1923. The Hungarian Government was represented by Count Apponyi and M. Gajzágo; Roumania represented by M. Titulesco.

The Hungarian representative regretted that he was unable to accept the conclusions of M. Adatci, and represented that there was nothing unusual in a Government disavowing a representative who had exceeded his powers. He then took up the argument where it had been left

at the previous session of the Council, and dealt in particular with the speeches which had been made on that occasion by the Roumanian delegate (A. 10. p. 32).

The problem was essentially a legal one concerning the interpretation of a treaty. The Roumanian Government, however, had refused to submit the question to the Permanent Court of International Justice, mainly because the question was too vast, and affected interest of too important a character to form the object of an arbitral decision. No degree of importance, however, could free a country from the duty of conforming to the provisions of a treaty in the solution of questions which were admittedly of an international character. The fundamental principle of international relations was the predominance of treaty law over national law.

The agrarian reforms undertaken by the Roumanian Government were less urgently required in Transylvania than in Roumania, but they had, nevertheless, been applied with a greater severity. The agrarian situation in the former kingdom of Roumania admittedly called for radical reform, but in Transylvania property was more equitably distributed, and the reform might reasonably have been more moderate. The contrary, however, had occurred. The reform in Transylvania had been more drastic, both as regards the provisions relating to maximum holdings and in regard to compensation. In Transylvania, colonists with holdings of an area from 25 to 30 jugars had been attacked¹. Lands held corporatively (compossessorats) had also been taken away and bestowed on Roumanian communes. It was particularly remarkable that, although under Article 25 of the agrarian law of Transylvania all these lands might be expropriated, exception was made of those held by the Roumanian regiment of Naszod, whereas no such exception was made in favour of the Hungarian regiment of Cizk, which was, nevertheless, in precisely the same legal position. The property of the churches had also come under the agrarian law, and several ancient educational institutions were being deprived of their wealth, with the result that Hungarian culture would disappear. All these facts tended to show that these agrarian measures were not a democratic reform, but a nationalist revolution, which prejudiced a minority exclusively in favour of a Roumanian majority.

The Hungarian representative thus summarised this part of his case:

"In order that your sympathy may be won you are told that this is a great democratic reform. This may be true for the old kingdom of Roumania, but it is not true for Transylvania. It is not right that the most far-reaching reform should be applied where it is least needed. The most drastic breaking up of estates is carried out precisely in that territory where the division of land is the soundest, where small properties predominate. Not only the large and medium-sized properties are being destroyed, but also peasant holdings if they are Hungarian. This is true of even jointly-owned properties, if they are Hungarian, but not if they are Roumanian. Hungarian peasants are deprived of their land which is given to Roumanian peasants. Parishes are attacked where conditions of tenure are quite exceptional. Church property, on which Hungarian culture in Transylvania almost entirely rests, is confiscated. In short, medium-sized properties which are Hungarian are expropriated, and such properties are reconstructed for the benefit of Roumanians. The nationalist and anti-democratic tendency of the reform in Transylvania is thus clearly apparent."

He next took up the points which had been the subject of negotiations at Brussels, arguing that the agrarian law of Transylvania was a breach of Article 63 of the Treaty of Trianon, which stated that Hungarian optants might keep their property, and that the Treaty was even more clearly violated by Article 18 of the Constitution, which said that no foreigner might possess landed property in the kingdom of Roumania.

Moreover, the provisions in regard to absentee landowners were legally indefensible. These provisions were retrospective, applying the term "absentee" to persons who had anticipated the duty of transferring their domicile to Hungary imposed on the optants by Article 63 of the Treaty of Trianon. This retrospective law applied to the years 1918-1921, a period during which Transylvania was legally Hungarian territory, and when no Hungarian domiciled anywhere in Hungary could reasonably be considered as an absentee. There was also the moral difficulty that absenteeism, thus defined, referred to a time when the majority of the Hungarian landowners found it necessary to retire before the Roumanian occupation.

The Hungarian representative admitted that expropriation was not contrary to the Treaty, if it were a genuine expropriation. It was, however, contrary to the Treaty if it was in reality confiscation in disguise, *i.e.*, an act by which the owner was deprived of his property without compensation. A measure under which landowners were offered a compensation of one per cent of the sale value of their lands was a negation of the whole idea of property, and consequently a violation of the Treaty of Peace.^o

He dealt at length with the objection which had been raised by the Roumanian Government that a privilege could not be created in favour of Hungarian optants as compared with Roumanian nationals, and that the Hungarian optants must, therefore, suffer the same measures of expropriation as the Roumanians. He noted that the appearance of creating a privilege arose from

¹ One hectare = 1.737 jugar.

the fact that Roumanian legislation had been enacted which did not take account of the provisions of the Treaty. He further pointed out that arrangements had been proposed by various countries for securing the rights of foreign nationals in Russia, Bessarabia, and elsewhere, and thus placing them in a privileged position. Moreover, when the Roumanian legislation was first passed, it was laid down that certain provisions relating to absentees would not be applied to foreign nationals. Roumania had not herself, therefore, always insisted that a privileged position for foreign nationals was inadmissible.

He concluded by asking that the question whether the rights of the Hungarian optants were violated by the agrarian legislation in Transylvania should be submitted to the Permanent Court of International Justice. The Hungarian Government could not persuade its nationals in the direction of conciliation, unless a judicial sentence were obtained. No progress was possible if the Roumanian Government persisted in applying a law which was regarded by the Hungarian Government as contrary to the Treaty, and, at the same time, refused to appear before the judge for whom the Hungarian Government was asking.

The Roumanian representative said that the Hungarian Government, after disowning its plenipotentiary, was trying to re-open a discussion which had been closed at Brussels on May 29th, 1923. He could not follow the Hungarian representative into all the details of this new debate.

It had been agreed at Brussels that there was no incompatibility between the provisions of the Treaty and expropriation for purposes of land reform. The details and methods of this expropriation fell within the scope of the domestic legislation of the sovereign country.

The Council on April 23rd had asked Roumania to take this question before the Permanent Court of International Justice. This arbitration was not compulsory, and Roumania had been unable to accept a proposal which involved the whole structure of Roumania, and vast problems which had been solved as a result of ten years of struggle, and various compromises between the interests of classes and parties.

He recapitulated the points on which agreement had been reached at Brussels, and drew attention to the assurance given by the Roumanian representative that, if there had been any abuse of the authority of the Roumanian administration, the persons concerned would be accorded full justice within the limits of the Roumanian law.

He dealt also with the alleged differences between the agrarian legislation of the kingdom of Roumania and of Transylvania. Such differences as existed were due to local necessities. For example, the proportion between the population and the extent of arable land was not the same in Transylvania and in the old kingdom, and it was for this reason that in Transylvania the economic unit was necessarily smaller. Moreover, even if there were differences between the legislation in the two regions, the Hungarian delegation at Brussels had agreed that they had no right to quote the provisions of the law enacted for the old kingdom as proving an injury to the interests of the Hungarian optants.

The Roumanian Government regarded itself as bound by the Brussels Agreement in so far as the Hungarian representatives were similarly bound, and Roumania would faithfully carry out her obligations. The Roumanian representative recalled in this connection his declaration to the effect that each individual case would be brought to the notice of the Roumanian Government and considered separately, in order to ensure equal treatment for all in conformity with the intentions of the law.

There was only one question which really divided the two parties at Brussels, *i. e.*, the question of compensation. The Roumanian Government, however, was unable to pay more. Wholesale compensation on a gold basis would require 750,000,000 gold francs, which represented 33 milliards of paper lei, when the total budget was not more than thirteen milliards.

Roumania stood by the report and the draft resolution framed at Brussels, which had been carefully weighed and considered, and accepted by both parties.

M. Adatci, at the public meeting of the Council held on the afternoon of July 5th, 1923, said he had not changed the opinion which he had formed at Brussels. He thought the Council would be acting wisely to adopt the draft resolution, which he had submitted. This resolution did not solve the fundamental question, but its acceptance by the two parties would, he felt, mark the beginning of a general move towards peace.

M. Titulesco said he was prepared to accept the resolution on behalf of his Government on the understanding that the Hungarian Government was similarly bound. He wished, however, to make the position of his Government quite clear. It regarded the Brussels agreement as an actual contract, and not simply as a first step towards conciliation, and considered that the minutes of May 27th definitely settled the agreed points.

Count Apponyi said that his Government could not consider itself bound in any way by the so-called Brussels arrangement, and deplored the fact that the League of Nations did not provide for Hungary an open road towards judicial settlement. In these circumstances, it was impossible for his Government to withdraw its request, and he must refuse the assent of his Government to the proposal of M. Adatci. He must regard the question as remaining in suspense, since there was no decision as regards the principle involved. The Hungarian Government reserved the right to take up the question again at an opportune moment.

The Council finally adopted a resolution in the following terms:

“The Council, after examining the report by M. Adatci, dated June 5th, 1923, and the documents annexed thereto:

“Approved the report ;

“Takes note of the various declarations contained in the minutes attached to the report of the Japanese representative, and hopes that both Governments will do their utmost to prevent the question of Hungarian optants from becoming a disturbing influence in the relations between the neighbouring two countries ;

“The Council is convinced that the Hungarian Government, after the efforts made by both parties to avoid any misunderstanding on the question of optants, will do its best to reassure its nationals ;

“And that the Roumanian Government will remain faithful to the Treaty, and to the principle of justice upon which it declares that its agrarian legislation is founded, by giving proof of its goodwill in regard to the interests of the Hungarian optants.”

The members of the Council, having particularly in mind the signature of the Brussels agreement, declared individually that they accepted this resolution. The Roumanian member also accepted it, asserting that it confirmed the Brussels agreement. The Hungarian member, on the other hand, stated that his Government must continue to believe that the only solution capable of solving the problem and easing the situation was a judicial settlement on the substance of the case. It could not admit that the minutes of the negotiations at Brussels involved it in any obligation, and it reserved the right to take any future steps allowed by the treaties and the Covenant of the League of Nations in order to obtain justice for those which it had the right and duty to represent.

7.

ADMINISTRATIVE QUESTIONS.

I. ADVISORY COMMITTEE ON INTERNATIONAL ADMINISTRATION.

At a meeting of the Council held on July 4th, 1923, the British representative expressed the view that the proposal to set up an advisory Committee on International Administration (see Annex 5, page 215) involved a new principle of a somewhat serious kind, as the Committee was to be formed of representatives of those Governments which constituted the Council, and would therefore be paid for by those Governments. His Government wished to examine an alternative scheme for the establishment of an advisory committee similar to the other advisory committees of the League.

After an exchange of views the Council decided to postpone a decision until its next session.

II. TERRITORY OF THE SAAR BASIN.

A. THE GOVERNING COMMISSION: RESIGNATION OF MR. WAUGH.

On August 2nd, 1923, Mr. R. D. Waugh (Canadian), who has been a member of the Saar Basin Governing Commission since it was set up in 1920, forwarded to the Secretary-General his resignation from that post in order to accept an important commissionership with the Manitoba Government in Canada. This matter will be considered at the session of the Council to begin on August 31st, 1923.

B. PERIODICAL REPORTS.

The Periodical Report of the Governing Commission for the period from December 15th, 1922 to June 15th, 1923 (14th Report¹) was printed in the *Official Journal* of the League for July 1923. It contains information with regard to the administrative activity of the Commission and deals specially with the economic conditions resulting from the strike of the miners, and with the establishment of a single currency by means of the elimination of the depreciated mark. The parts of the report dealing with these problems are summarised below.

C. ECONOMIC CONDITIONS: THE MINERS' STRIKE.

The report begins by recalling the period of unusual prosperity which the Saar Basin enjoyed at the end of 1922. This prosperity, it is stated, was destroyed by the miners' strike which began on February 5th and lasted for exactly 100 days. Every economic organisation in the district, all production and all traffic, depend on coal. As soon as the coal supply is interrupted the entire life of the Saar Basin is paralysed. It is noted that this was the first miners' strike since the Governing Commission took up office in February 1920. The strike broke out as the result of a demand

¹ These reports will hereafter be submitted to the Council quarterly as in the past.

for increased wages, but it presented an unusual character, as was shown by its duration, by the perfect organisation of the trade-unions, and by the amount and regularity of the subsidies paid to the strikers. It was impossible to resist the conclusion, adds the report, that the motives of those who took part in the strike were not of a purely economic nature. Negotiations were held at the beginning of May between the mining administration and the trade-union representatives, and the miners went back to work after an increase in wages had been granted to all classes. The effects of the strike may be indicated by the fact that there was probably a loss in gross production of over four million tons of coal, and that the loss in wages to the miners amounted to over 85 million francs. The production of iron and steel decreased by more than two-thirds during this period; the treasury of the territory suffered materially; and the deficit in the railway budget will reach considerable proportions.

D. THE CURRENCY QUESTION: THE FRANC AS SOLE LEGAL TENDER.

Owing to the gravity of the monetary situation in the Saar, due to the increasing depreciation of the German mark and the simultaneous circulation of the French franc, the Governing Commission was unanimously of the opinion that the remedy should be sought in the return to monetary unity by means of the elimination of the German currency. Accordingly, after consulting the Technical Committee and the Advisory Council, and noting the wishes of the Chamber of Commerce, the Governing Commission issued a Decree on May 18th, 1923, making the French franc the only legal currency in the Territory.

The report enumerates the fatal effects of the double currency on public and private finances and on industries and agriculture in the Saar. It states that the Governing Commission was unable to regard the future with any confidence as long as the financial organisation of the district was dependent on the German money market. It appeared to be absolutely necessary to free the Saar Basin from the mark, and to put an end to the double currency and its grave consequences. Under the Treaty the French franc could not be eliminated, so that unity could not have resulted from the adoption of any other currency.

The report represents that the reform thus introduced was the outcome of a gradual process. To a large extent the franc had been already introduced both in Government and private enterprises, but many of the people, particularly small traders and those with fixed incomes, still suffered from the depreciation of the mark. The Commission believes that in introducing this reform, against which the German Government has protested, it has in no way exceeded its powers under the Peace Treaty. Moreover, the Commission only decided to make the French franc the sole currency of the district after it had made certain that the result would not aggravate the difficulties of those classes of the people which had suffered from the depreciation of the German currency, but rather work out to their advantage.

The decree of May 18th assures payment in francs for all wage-earners. Moreover, with the approval of the Advisory Council a further decree has been issued for the purpose of transforming into francs the whole system of social insurance. Disabled soldiers will also be paid in francs and special provision will be made for those with small fixed incomes.

E. AGREEMENTS WITH OTHER COUNTRIES.

The Secretariat has recently received information from the Secretary-General of the Governing Commission concerning agreements negotiated and concluded between the Governing Commission and foreign governments, as well as the texts of these agreements. Most of these agreements had been mentioned previously in the periodical reports of the Governing Commission. The new documents are now under consideration in the Secretariat. The agreements include four formal protocols between Germany and the Governing Commission, and two formal conventions between France and the Governing Commission, in addition to a number of arrangements of a somewhat technical or administrative character which have been entered into, in one form or another, by authorities of the Governing Commission with authorities of foreign countries. Mention is also made of the participation of the Governing Commission in certain international organisations — such as the Universal Postal Union.

F. INQUIRY BY THE COUNCIL INTO THE GENERAL ADMINISTRATION OF THE SAAR TERRITORY.

A proposal of the British Government for an enquiry into the general administration of the Saar Territory, and, more especially, into the recent events which resulted in the taking of exceptional measures by the Governing Commission, was considered by the Council during its session from July 2nd to 7th, 1923.

At a public meeting on July 3rd, the Council heard Lord Robert Cecil, M. Hanotaux, and Mr. Branting on the subject, and agreed as to the form which the enquiry should take. The enquiry was subsequently pursued at two meetings on July 6th in the presence of all the members of the Governing Commission, who had been summoned to Geneva. At a second public meeting on July 7th, the Council adopted unanimously a resolution prepared by a drafting Committee composed of M. Hymans, M. Quiñones de León and the Director of the Administrative Commissions Section of the Secretariat.

1. *The British Proposal: Statement by Lord Robert Cecil.*

The proposal of the British Government was:

(1) To draw attention to the decrees of March 7th, 1923 (maintenance of order), and of May 2nd, 1923 (picketing);

(2) To propose an inquiry as to whether the administration of the Saar Basin by the Governing Commission had been in accordance with the spirit and terms of the Treaty of Versailles.

Lord Robert Cecil, introducing the proposal, said that affairs in the Saar had attracted a great deal of public attention, and he laid great stress on the importance of enlightening public opinion as to the true position. He pointed out that there had been a great deal of ignorant and hostile propaganda, both in England and other countries, concerning the administration of the Territory.

He reminded the Council of the position under the Treaty of Versailles. The Treaty had two objects: one was to secure the rights and welfare of the population of the Saar, and the other was to secure to France complete freedom in working the coal-mines which had been transferred to the French Government in compensation for the destruction of the mines in the north of France.

The government of the Territory was handed over to the League of Nations and entrusted to a Governing Commission appointed by the Council of the League. The acts of this Commission were the acts of the League, and the League was responsible.

It was not the duty of the Council to take any direct part in the administration of the Saar, but it was the duty of the Council to review the acts of the Governing Commission and to enquire from time to time as to the course of events in the Territory.

There were serious difficulties inherent in the administration of the Saar. The system of government was set up for only a limited time, and it therefore lacked permanence, which was one of the great assets of a Government. It was, moreover, a government which lacked the racial sympathy of the population, and it had the complex duty not only of governing the Territory but of ensuring the rights of a foreign Power in the Territory. Considering these difficulties, the Governing Commission had been remarkably successful. It was a Government of considerable administrative capacity and of unquestioned uprightness and freedom from corruption. It could show an exceptional record in the history of international government. It was, nevertheless, the duty of the Council to give to this Territory and to its Government the closest attention, and to enquire when there was any reason for thinking that a mistake had been made.

The special ground on which the British Government based its proposal for an enquiry was the position which had arisen as a result of the provisional decree issued by the Governing Commission on March 7th, 1923. This decree had been issued in consequence of a general strike in the Territory. In some particulars the decree appeared to go beyond what was required for the maintenance of order. It had now been withdrawn and a new decree of a more moderate description had been substituted for it. The new decree was based on the proposition that no one ought, by speaking or writing, to take action which might lead to a breach of the peace. As a general proposition, that would appear to be right. There was a further decree passed during the strike which forbade peaceful picketing. It was open to question whether a decree of that kind could be lawfully enacted in a territory where the rights of the workmen as they existed at the time of the armistice were specifically preserved under the Treaty.

The decree of March 7th, 1923, was promulgated without any previous consultation with the inhabitants of the Saar. This was contrary to the express words of the statutes. It could only be justified by extreme necessity, and could only be maintained if the inhabitants were consulted at the earliest possible moment.

There did not appear to be, on the face of it, any reason for this sudden action. The strike had been continuing for three months and there had been no serious disturbance. It was said that the Advisory Council of the Saar had met within a week of the promulgation of the decree, but it did not appear to have been consulted, though, according to another statement, it had passed a strong resolution against the decree. It was publicly alleged that the decree was directly due to the inspiration of the French Government. This charge, which he did not accept for a moment, might be taken as an example of the hostile reports which were circulating in regard to the administration of the territory. Similar allegations were made in regard to the decree on peaceful picketing and the second decree which had been substituted for that of March 7th, 1923.

It accordingly appeared that all these three decrees should be the subject of enquiry by the Council, which should satisfy itself that they were really necessary in the interests of the inhabitants and of the French proprietary rights in the mines, and that the method of their enactment was reasonable and in accordance with the provisions of the Treaty.

There was another matter on which there had been a great deal of public criticism, namely, the position of the members of the Governing Commission and their relations with one another. There was a suggestion that some of the members of the Governing Commission did not sufficiently realise that they were only representatives of the League of Nations and that no member in any respect represented any foreign Government. There was also a suggestion that the Chairman was inclined to act without consulting the Commission. It was said, for example, that the report at that moment before the Council was the first which had been approved by the whole Commission.

There had also been considerable discussion on the compulsory adoption of the franc as the legal currency of the Saar and on the continued presence in the Saar of a considerable body of French troops, which had been largely increased during the recent strike. The efforts of the

Governing Commission to create a local gendarmery in order to dispense with these troops appeared to have been somewhat slow.

He did not think it would be desirable to send to the Saar a local commission of enquiry or to appoint a commission of enquiry in Geneva. He was not going to ask the Council to enter into any details of administration except so far as necessary to illustrate general principles. He would ask the Council itself to enquire into all these matters, and for this purpose to see the members of the Commission, who were all of them responsible to the Council and not to the Chairman.

2. *Statement by the French Representative.*

M. Hanotaux began by saying that the statement made by Lord Robert Cecil reduced the events which had recently taken place in the Saar to their true proportions. There had been references in the Press to a system of despotism and to a people reduced to slavery. The Council was not asked to enquire into charges of this character.

Since the last session there had been an event of capital importance. The strike, announced as probable in January, had broken out in February but had since come to an end. The happy issue of this event was due in a large measure to the foresight of the Governing Commission, which had dealt with a serious crisis without bloodshed or imprisonment or judicial proceedings of any kind.

Up to the moment of the strike everything had been proceeding as well as possible in the Territory, and during the period of the administration of the Governing Commission various Members of the Council had from time to time congratulated the Chairman of the Commission on the liberal policy which he had followed. Lord Robert Cecil, at the second Assembly, and Lord Balfour, at the third Assembly, had expressed themselves to the same effect. The references of Lord Balfour to the Government of the Saar at the third Assembly were particularly significant. He had referred to a most active and vehement propaganda which was carried on in the Saar not in the interests of the population but in order to discredit the Governing Commission and to prepare the inhabitants for the plebiscite which was to be held in 1935.

60,000 workmen were involved in the recent strike, and they had been fired by a campaign of extraordinary violence. The Governing Commission had the duty, under Article 30 of the Treaty, "to provide in all cases for the protection of persons and property in the Saar Basin" — a provision which entitled it, subject to the approval of the Council, to summon forces provided from outside. The crisis connected with the strike threatened the entire population, and was particularly dangerous owing to the geographical position of the Saar, its political situation, and the needs of the Territory.

The Governing Commission was a real Government, which inherited all the powers of government hitherto belonging to the German Empire, Prussia or Bavaria. It was created in order to maintain a particular situation, which M. Hanotaux summarised as follows:

"France has particular rights in the Saar. This is the point on which everything else necessarily rests. France is the proprietor of the mines; France has the right to exploit the mines without any obstacle or restriction being placed upon the use or exploitation of this property; these expressions are repeated in the Treaty of Versailles on several occasions.

"Moreover, the future destiny of the Territory is held in suspense pending the future plebiscite.

"These two rights are in no way inconsistent; one of them is concrete, immediate and of constant application, whereas the other lies in the future, and herein lies the difficulty. The League of Nations is the trustee of the Allied Powers for the maintenance of these two rights. The League was entrusted by the Treaty with the organisation of a new system of government and with the task of following its actions. For this period the League remains the trustee and has to maintain the existing position in accordance with Articles 49 of the Treaty and paragraph 19 of the Annex."

M. Hanotaux contended that the Governing Commission had the right to legislate in certain circumstances and that it had special authority to take speedy action in exceptional crises. In March 1923, the Commission took the only possible step at its disposal. It needed a law to meet an exceptionally dangerous position, the importance of which was underrated by Lord Robert Cecil. It took for this purpose a German law. It consulted a technical committee chosen from the inhabitants and at once informed the Council.

The decree was issued as a provisional decree, and it was understood that when the position had become normal it would no longer apply.

Under this decree persons disturbing the public peace might be brought before the courts. Not a single case, however, had been brought before the courts, nor any penalty imposed under this decree. Only two newspapers had been temporarily suspended. The decree was not only provisional — it had practically never been applied. It gave rise to no serious incident, and as soon as possible it was withdrawn. It reassured the public mind and led at once, thanks to the wisdom of the Government and of the population, to a definitive movement toward a peaceful issue.

Much insistence had been laid on the picketing decree. The practice of picketing was a subject of controversy all over the world. The Treaty safeguarded the right of the workers, but this right was twofold; not only the right to strike but freedom to work; and it was the duty of the

Governing Commission and of the Council to assure this freedom. The Saar decree was of an average character.

There was also the question of currency. The French Government had the right to establish its currency in the Saar under Article 32 of the Treaty, and no prohibition or restriction might be imposed on the circulation of French money. The introduction of the French franc had been economically necessary. The Saar was the only part of Germany where conditions were good, since it had escaped the general collapse of the mark.

The Council was invited to make an enquiry into the administration of the Saar, and it was its duty to do so. There was to be no special commission of enquiry (*enquête*), which might prejudice the authority of the Governing Commission, but a simple extension of the usual work of the Council.

It was necessary to remember that the art of government was beyond everything else the art of understanding the psychology of the peoples. It was impossible to govern from Geneva and with texts. One could only govern on the spot and with men. It was essential not to open the door to propaganda, which was directed not only against the Governing Commission but against the League of Nations, and which was, in fact, part of a general attempt to nibble at the Treaty of Versailles in order to ruin the very foundation of the existing European system.

He responded to Lord Robert Cecil's appeal and agreed to an enquiry (*examen*) by the Council.

3. *Statement by the Swedish Representative.*

Mr. Branting said he was authorised to support the proposal for an enquiry. He thought that the chief reproach which might be addressed to the Governing Commission was that it had not succeeded in collaborating with the population and in gaining its confidence. The Administration was not sufficiently democratic. He ventured to propose that some members of the population of the Saar should also be invited to present their point of view.

4. *Examination of the Members of the Governing Commission.*

The members of the Governing Commission were examined by the Council at two meetings held on July 6th, 1923. A full account of these proceedings was published in the *Official Journal* for August 1923. The following is a summary of the evidence of M. Rault, the Chairman, given in reply to questions put by Lord Robert Cecil.

5. *Distribution of the Duties of the Commission and its Methods of Work.*

M. Rault, who was at the time both Chairman and French member of the Commission, reminded the Council that, under the Treaty, he was required, as Chairman, to act as the executive of the Commission. He had not, however, attempted to centralise all the powers of administration in his own hands. The Commission had distributed the work of government among all its members. The Chairman undertook internal administration, police, foreign affairs and measures relating to commerce, industry and labour. M. Lambert (Belgian) had charge of public works, railways, posts and telegraphs. M. de Moltke-Huitfeldt (Dane) was entrusted with education, public worship and justice. Mr. Waugh (Canadian) had charge of finance and supply, and the Saar member (M. Land) dealt with agriculture, public health and social welfare.

Each member of the Commission was master in his own particular department, but it was understood that, when decisions concerned any changes of law or of regulations, involved expenditure, or were of general interest, they should be brought before the whole Commission at one of its weekly meetings, where the work accomplished was extremely heavy. Decisions were taken by the Commission after a serious discussion between all its members. Between 20 and 30 questions came up at each meeting and nine-tenths of the proposals were unanimously approved.

All the members of the Commission had been designated by the Council and independently of the Governing Commission, which had never put forward any candidate for appointment.

M. Rault said that during the first year the reports of the Governing Commission to the Council had been made by the Chairman as executive officer of the Commission. At the end of the first year objections to this procedure had been raised by the Belgian member. The Chairman of the Governing Commission had accordingly asked the other members to send him a note of what they desired to have included in the report concerning their own departments. These notes had been inserted verbatim.

The last report, however, after having been drafted by the competent departments, had been read and approved by the Governing Commission as a whole, and he was ready to follow this procedure in the future.

M. Rault stated that almost all the officials were German. A few nationals of other countries had been appointed, chiefly as heads of departments, because it had been impossible to find suitable persons on the spot. The higher officials were named by the whole Commission, and all appointments had been made unanimously ¹.

¹ On July 25th, 1923, M. Rault forwarded a statement showing that there were 73 non-German officials of all grades out of a total of about 12,000. Among the higher non-German officials slightly more than half were French, the others being Swiss, Belgian, Luxemburg, English, Dutch and Czechoslovak.

6. *Relations of the Governing Commission with the French Government.*

M. Rault contended that the French member of the Commission had special duties. It was expressly stipulated in the Treaty that France must be assured complete freedom in working the mines. It was with this object that the Governing Commission had been created, and it was for this reason that a Frenchman was a *de jure* member of the Commission. It was the duty of the French member, as indicated by the report adopted by the Council on February 13th, 1920, to see that the advantages secured to France by the Peace Treaties were maintained, reconciling this duty with the primary one of assuring the rights and welfare of the population. In fulfilling these duties he would necessarily have to maintain relations with his country of origin.

M. Rault, replying to Lord Robert Cecil, agreed that there was nothing in the Treaty which drew any distinction between the French member and any other member of the Commission as regards the duty of safeguarding the rights of France, and that it was equally the task of all the members of the Governing Commission to discharge the duties laid upon it by the Treaty, for which they were all responsible to the League of Nations.

Lord Robert Cecil enquired as to an allegation that the budget of the Territory for 1923 had been submitted to the French Government before it was submitted to the Governing Commission.

M. Rault stated that this was entirely untrue and explained that a statement of the total receipts and expenditure for the year 1920-21 had been given to the French Government on the authority of the Commission. France was a heavy taxpayer, on account of the mines, and had, through a tax on coal, provided 80 % of the first Saar budget.

M. Rault contended generally that it was his duty to pay attention to the indications given him by the French Government with a view to the defence of her special interests in the Saar. He argued that it would be quite impossible for the Chairman of the Governing Commission, whatever his nationality, not to have relations with certain French ministries in the interests of the Territory itself. In order to settle the tax on the mines, for example, it was necessary to negotiate with the French Minister for Public Works, and, since the French Customs regime was applicable to the Saar under the Treaty, it was also necessary for the Governing Commission to have direct relations with the French Ministry of Commerce and Industry. Economically, the position of the Saar Territory would be quite impossible unless the Chairman maintained continuous relations with the French Government. The necessity for such relations had been particularly evident during recent events in the Ruhr. The French Government, however, was not in a special position. The Chairman was in correspondence once or twice a week with the German Government to assure the material welfare of the Saar and its inhabitants.

M. Rault, referring to his correspondence with the French Government, said it was his practice to communicate letters to other members of the Commission if they related to duties with which they were entrusted, and that very often letters were communicated to the whole Commission. He did not think it would be advisable for letters which he received as the French member of the Governing Commission to be invariably communicated to his colleagues, but everything addressed to him as Chairman of the Governing Commission might be circulated to the Commission. If the subject of the correspondence involved a decision of the Commission, letters exchanged between any member of the Commission and his own Government should most certainly be circulated.

A very small office (one room with a typist) was maintained by the Commission at the headquarters of the League in Paris, particularly in order to promote the economic interests of the Saar by supplying information to those desiring it.

7. *The Advisory Council and the Technical Committee of the Saar.*

M. Rault pointed out that the Treaty allowed the Commission itself to choose the method of consulting the inhabitants with regard to new legislation or new taxation and that the Advisory Council had been set up in agreement with the Council of the League. All persons possessing the qualification of inhabitants of the Saar, of whatever nationality or class, had the right to elect the Advisory Council. The powers to be entrusted to the Advisory Council had been discussed at great length, and the Governing Commission had gone as far as the Treaty permitted. The Council of the League had pointed out that the Commission could not set up a parliament in the Saar to which the Commission would be responsible and which might prevent the Commission from carrying out its duties. The Advisory Council could only discuss matters submitted to it under paragraphs 23 and 26 of the Annex to the Treaty relating to the Saar Territory, *i.e.*, the modification of existing laws and the introduction of new taxes. The Commission had always consulted the Advisory Council on such matters. The Technical Committee was a body appointed by the Governing Commission from among persons well known in the Saar Territory. Its advice was asked regarding schemes in preparation for submission to the Advisory Council. The Technical Committee had always disregarded party issues and taken the Treaty as a basis in considering the questions submitted to it. Nearly all the decrees of the Commission bore marks of examination by this Committee.

8. *The French Troops in the Saar.*

M. Rault said he had not asked the members of the Governing Commission for authority to apply for the French troops for which he had sent during the strike; acting as Minister in charge

of public safety, he had summoned these troops in twenty-four hours at the request of the governing body of the mines. During the strike there had been some 4,000 men on duty to guard the mines. The troops had never come into contact with the population. They had been placed at the disposal of the local authorities, who had indicated their duties. During the strike the attitude of the chief local officials (*Landräte*), who had made use of the troops, had been perfectly correct. No incidents between the troops and the workers had occurred. The total strength of the former, including relief troops, had never exceeded 6,000 men. They were directly under the orders of the French Minister of War, and were in the same position as garrison troops quartered in France. The general commanding the troops could not go further than the instructions which he received from the Chairman of the Governing Commission.

M. Rault stated that at the present moment there were some 2,200 troops remaining in the Saar.

9. *The Local Gendarmerie.*

M. Rault said it was the duty of the Commission in all cases to provide protection for persons and property and to interpret this provision of the Treaty. The Commission was continuing to develop a local gendarmerie in accordance with paragraph 30 of the Annex to the Treaty.

Moreover, it had the undoubted right, for the maintenance of public order, to appeal to any forces which might be placed at its disposal. The position was delicate. In 1919, 30,000 rioters had done considerable damage in Saarbruck in two hours. It would be necessary to have 4,000 gendarmes to deal with any kind of incident. In normal conditions from 2,000 to 2,500 was the minimum number required. The Commission had set up a school for gendarmerie two years previously and was sending regularly to this school 50 new gendarmes for a three months course. With the 200 gendarmes to be recruited this year the Commission would possess 355. Progress was necessarily slow, and by 1925 the local gendarmerie would not suffice to assure complete security. Its development was continuing as fast as recruiting and the finances of the Commission permitted. It might not be impossible, but at the moment it was very difficult, to recruit more than 200 a year. It was possible to have different views on the question as to whether 2,000-2,500 gendarmes were really necessary in normal times.

10. *The Exceptional Decrees of the Governing Commission.*

M. Rault first explained why the decree of March 7th was not submitted to the Advisory Council before its promulgation. The general strike which had broken out in February was still continuing. 72,000 miners were clearly dissatisfied with their conditions, and there were 20,000 others unemployed. It would have been easy for the Saar Press to stimulate agitation and to organise demonstrations. Already on January 15th there had been violent movements engineered by the political parties against France and against the French State mines. The police had discovered two secret societies in the Saar connected with those at Munich which had been forbidden by the German Government. It was necessary to take urgent measures, and at that moment the Advisory Council was not in session. Any announcement that the decree was about to be promulgated would have created fresh unrest.

The Commission had, therefore, introduced the decree as an emergency measure. The decree was referred to the higher administrative court, composed of four German magistrates and three directors (two of them Germans) chosen from the heads of departments. The court had vindicated the right of the Commission to introduce the decree.

Lord Robert Cecil pointed out that the Advisory Council had met on March 13th, and asked why the decree had not been sent to it as soon as possible after its enactment.

M. Rault explained that the Advisory Council had met on March 12th to discuss a previously prepared agenda. Under the regulations it could only discuss an agenda circulated ten days before its convocation. The decree had been submitted to the technical committee the day after its promulgation. It was virtually identical with a German law which was still in force in Germany and contained exactly the same penalties for the same offences. The only action taken under the decree was the suspension for twenty-four hours of four newspapers as a warning measure. One of them had again been suspended twice but never for longer than 15 days.

The new decree which had taken the place of the decree of March 7th was designed to protect the members of the Commission, and, above all, its officials, against insults and libels in the performance of their official duties. It undoubtedly restricted the freedom of the Press, but only on certain points, and the restrictions could only be made to apply to misdemeanours which would provoke disturbances. The penalties provided were those of the ordinary German law of 1874, and the newspapers had the right to appeal against the administrative jurisdiction thus established.

The decree which forbade peaceful picketing had merely had the effect of outlawing certain practices which had during the war become lawful in Germany. There were in the Saar 42 pitheads; 580 picketing posts had been established round these 42 pitheads; and the distance between them varied from 50 to 100 metres. The posts comprised six men armed with clubs and trained dogs. All freedom to work had been removed, and the miners had been terrorised. It had become necessary to forbid picketing, because they had no means of keeping it within reasonable limits.

The Commission had, therefore, enacted that certain misdemeanours should be offences against the common law and should be tried by the criminal courts.

Lord Robert Cecil suggested that it was inconsistent with the Treaty to abolish all forms of picketing, but M. Rault did not share this opinion and did not think that the decree should be withdrawn.

M. Rault, in conclusion, informed the Council that on July 2nd an amnesty had been proclaimed in the Saar which had been extended to all persons who had been guilty of contraventions and misdemeanours during the strike. In particular it covered all political misdemeanours, especially the infraction of the provisional decree of March 7th and all misdemeanours committed by the Press.

11. *Evidence of Different Members of the Commission.*

At the afternoon meeting of July 6th, Mr. Waugh (Canadian) and M. Rault went into some detail with reference to certain points concerning the financial administration of the Territory and particularly concerning taxation which affected the French State mines.

Mr. Waugh represented that certain taxes had been increased without consulting the Advisory Council, although strictly the Treaty required a consultation. The same method of administration, he said, had been followed in the case of the Provisional Decree of March 7th, 1923.

M. Hanotaux, M. Branting, M. Hymans and M. Salandra joined Lord Robert Cecil in asking questions.

Mr. Waugh further informed the Council that he had abstained from voting for any of the decrees which had been under discussion. He had thought that the decree of March 7th was unnecessary and that the advice of the Advisory Council should first have been secured. He had abstained from voting on the two subsequent decrees because they contained provisions of which he disapproved, together with others of which he approved. The decree issued in substitution for that March 7th was designed to protect the officials. None of the officials in his department had ever complained of having had any trouble with the inhabitants of the Saar.

M. Lambert (Belgian) said that the officials of the technical departments did not suffer from terrorism but that those in departments which had duties of a more or less political character, such as the education departments, were attacked. He quoted extracts from the Press to show the nature of these attacks.

As regards the French troops, Mr. Waugh said that they had behaved in an exemplary manner but that it would be well if they could be stationed across the frontier where they could be called upon in case of urgency.

M. Land (Saar) expressed himself in favour of the decrees under consideration.

12. *Decision of the Council.*

The Council, as a result of the enquiry, adopted the following resolution:

"The Council of the League of Nations has had before it a proposal by the British Government for an enquiry into the situation in the Territory of the Saar Basin and more especially into the recent events which have resulted in the taking of exceptional measures by the Governing Commission of the Territory.

"The Council has desired on this occasion to strengthen the ties which should exist between the League of Nations and its representatives in the Saar by entering into personal contact with all the members of the Commission.

"The Council has, with the members of the Commission, considered the foundation of the Government in the Saar Basin as established by the Treaty of Versailles.

"The system of government in the Saar was established under the Treaty in order to assure the rights and well-being of the population and to guarantee to France complete freedom in working the French State mines, upon which the prosperity of the country depends.

"In virtue of the instructions given to the Governing Commission at the date of its constitution, February 13th, 1920, the Commission is responsible to the League of Nations for the execution of its duties in accordance with the stipulations of the Treaty of Versailles. The Commission, the executive of which is the Chairman, is, in all cases, collectively responsible for the execution of those duties which it assigns to its individual members in order to promote easy and rapid dealing with the problem of government.

"The Council has decided that it is unnecessary to discuss the provisional decree of March 7th, last, as the decree has been withdrawn. In regard to the other exceptional measures which the Commission deemed it necessary to take subsequently, the Council leaves it to the discretion of the Commission to decide upon the moment when it is advisable to return to the normal course of law. The Council has learnt with satisfaction of the amnesty measures recently decreed by the Governing Commission.

"The Council appreciates the economic considerations which have led the Commission to introduce the franc as the sole legal currency in the Saar.

"With regard to the question of the maintenance of order, the Council has on various occasions stated that it is desirable that the support of a foreign garrison should be withdrawn as soon as the development of the local gendarmerie permits. By its resolution of April 23rd, 1923, the Council took note of the measures already taken by the Commission towards this end, and requested the Governing Commission to submit its programme for increasing the strength of the local gendarmerie before adopting the budget for the fiscal year 1924-25.

"The Council expresses again its great appreciation of the administrative work achieved by the Governing Commission during three and a half years in particularly

difficult circumstances, and assures the Commission of its whole-hearted support in the accomplishment of the task entrusted to it."

M. Hanotaux stated that he adhered to this resolution in a spirit of cordial collaboration and with a desire for peace. Alluding to the difficulties of the Commission's task and to the recent crisis in the Saar Territory, he said that the unanimity expressed by the Council would show the Commission and the population that mutual understanding and mutual concessions are the two essential conditions of harmony.

Lord Robert Cecil endorsed M. Hanotaux's statement. He laid particular stress on several points of the resolution: The value of the enquiry which had been conducted by the Council; the responsibility collectively of the Commission and of each individual Member to the League and to no other body; the desirability of withdrawing all exceptional legislation and the satisfaction of the Council with the amnesty decree; the economic advantages of the introduction of the franc as sole legal currency in the Territory (in his view, an act within the powers of the Commission); the difficulties with which the Commission was faced; the remarkable success of its administrative work; the need of the Commission for the full support of the Council in carrying out its difficult task with justice and with strict regard to the provisions of the Treaty.

M. Branting emphasised the desire of the Council that the use of foreign troops should be dispensed with as soon as possible and expressed the hope that the action of the Council in conducting the enquiry would be instrumental in improving the relations between the Commission and the Saar population. In his opinion, this might be facilitated if certain of the elected representatives of the inhabitants appeared before the Council. In view, however, of the care and detail with which the enquiry had been pursued, he did not insist on this point.

M. Salandra expressed the hope that the agreement reached by the members of the Council would be the first step towards the realisation of a closer union between the inhabitants of the Saar and the Commission which governed them, on the basis of the Treaties which constituted the foundation of public law for that Territory.

III. FREE CITY OF DANZIG.

The general problem of Polono-Danzig relations was considered by the Council during its July session.

Certain general principles which had not been completely defined when the position of the Free City was laid down in 1919 and 1920 seemed to require further consideration in order that stable conditions might be assured for the future. The Council therefore devoted itself to this essential task, postponing until its September session such particular disputes as might require special attention. The points considered by the Council were the following:

1. The general situation created by all the various disputes between Poland and the Free City, and, in particular, the procedure to be adopted in the case of such disputes.
2. The relation between the terms of Article 104 of the Treaty of Versailles and the terms of the Treaty signed by Poland and the Free City of Danzig on November 9th, 1920.
3. The competence of the High Commissioner of the League of Nations at Danzig.

The Polish Government, the Danzig Government, and the High Commissioner presented to the Council, both orally and in writing, their views on these problems. The Council considered the matter at more than one meeting, and unanimously adopted on July 7th, 1923, a report by M. Quiñones de León which lays down principles of great importance for the constructive development of Polono-Danzig relations. The more important passages of this report were as follows:

"I feel that the Council will agree with me in saying that it is anxious to assure the Polish Government of its solicitude for the development of the relations between the Polish Republic and the Free City of Danzig and that it is extremely desirous that Poland's legitimate aspirations should be realised in their entirety. The Council is, as hitherto, firmly resolved to enforce respect for Poland's rights in regard to the Free City in conformity with the Treaties, and at the same time to maintain the Statute of the Free City intact. The economic expansion of Poland is a cause of gratification to all Members of the League of Nations. The Council does not forget that it is a necessity for Poland that she should be able to develop her internal economic life at the same time as her facilities for foreign trade and her free access to the sea through the Free City of Danzig. The Council desires that all questions that have been raised between the Free City and Poland should be regarded from the point of view of the common interests of the two States. The future of Danzig is closely bound up with that of Poland, and all antagonism between Danzig and Poland should be removed by mutual endeavours to understand one another and to co-operate in the common task of developing the port of Danzig to the great advantage of both countries. The authorities of the Free City will certainly endeavour to avoid any justified ground for complaint as regards their attitude towards Poland. I hope that this remark will not be regarded as implying any criticism of the attitude hitherto adopted by the Free City, but I think it essential that the Council should make a clear pronouncement in favour of reconciliation between the Free City and Poland. This is the only condition under which Poland's rights can be realised in their entirety and the Free City's interests entirely safeguarded.

"Many of the disputes between Poland and the Free City of Danzig have already been settled either by direct agreement between the two Governments or by a decision of the High Commissioner, or, finally, by a decision of the Council of the League. A few disputes, which have not yet been finally settled, are at present under consideration by the High Commissioner, or have been laid before the Council as the result of an appeal by one or the other of the two parties.

"The Polish note of June 20th draws our attention to a general feeling of uneasiness with regard to the settlement of the various disputes pending. To meet this situation I venture to propose that the Council should recommend that Poland and the Free City submit promptly, and in conformity with the procedure specified in the Treaties, any serious grievance to the High Commissioner which they still entertain. The Council will, as hitherto, always be ready to examine without delay the circumstances of any question submitted to it after it has first been dealt with by the High Commissioner. I might perhaps also suggest that the Secretary-General should inform the High Commissioner that the technical services of the Secretariat are at his disposal and at the disposal of the two parties for assistance at any negotiations which may take place under the auspices of the High Commissioner. Their co-operation in this manner might be particularly advantageous if the High Commissioner decided to refer certain questions to the Council direct in virtue of Article 39 of the Treaty of November 9th, 1920. In this case he might perhaps propose to the two parties that the negotiations, or certain parts of the negotiations, should take place at Geneva.

"The Council could then take a decision at its next session on all the questions still pending, and it may be confidently hoped that in the future many occasions of misunderstanding will be avoided and the ground prepared for the intimate and fruitful co-operation between Poland and Danzig intended by the Treaties. It is needless to emphasise the importance, in order to achieve this object — which is desired equally by the Council of the League of Nations and by the Governments of Poland and of the Free City of Danzig — of doing nothing which might prejudice the solution of the disputes by the means indicated above. I am quite convinced that when the problem has been formulated in its general aspect the two Governments concerned will endeavour to help us to clear the ground and to prevent further occasions of conflict which might envenom the atmosphere and render more difficult the task of conciliation on the Danzig question, which the League of Nations so ardently desires to conduct to a satisfactory conclusion.

"It seems to me to be useful at the present time to deal with certain questions raised by the High Commissioner and by the Polish Government which are of a general character and are independent of specific disputes.

"In the first place the question must be determined as to what is the exact relation between Article 104 of the Peace Treaty of Versailles and the Treaty concluded at Paris on November 9th, 1920. I am of opinion that the Treaty of November 9th, 1920, constitutes an entirely valid legal basis for the relations between Danzig and Poland, but that in the event of doubt as to the interpretation of any clause in the Treaty of November 9th recourse may be had, in order to dispel such doubt, to Article 104 of the Treaty of Versailles in virtue of which the Treaty of November 9th, 1920, was concluded. If I rightly understand the position, the Polish representative appears to accept this standpoint as a result of the exchange of views which took place at the meeting of the Council on the 4th inst.

"As regards the question of the competence of the High Commissioner, I feel that that is an extremely delicate matter in regard to which I should not like to express a definite opinion at the present time. It seems to me that the High Commissioner himself should in principle decide in each case whether he is competent to pronounce a decision in a dispute between Danzig and Poland. The terms of the stipulations contained in paragraph 2 of Article 103 of the Treaty of Versailles and in Article 39 of the Treaty of November 9th, 1920, are very wide, and I think that in practice it would perhaps be possible to establish certain more definite rules in order to avoid any appearance of interference by the High Commissioner in affairs, for example, which should be reserved for decision by the courts of the two countries. If in any particular case the one Government or the other feels bound to dispute the competence of the High Commissioner, it will be able to appeal to the Council. In this situation I do not think it is absolutely necessary for the moment to attempt to lay down any general rules."

As a result of the general agreement reached by the adoption of the report of M. Quinones de León, negotiations between the two parties under the auspices of the High Commissioner and with the assistance of the Secretariat were begun at Geneva immediately after the close of the July Council session. A considerable number of the specific disputes then outstanding were talked over, and discussions are continuing at Danzig on all the unsettled difficulties. According to the latest reports there are over 25 of these questions. A number of them were mentioned in the general report to the Fourth Assembly. The principal questions may be grouped under the following headings:

1. The Danzig Harbour Board;
2. Customs questions;
3. The situation of Polish citizens in Danzig, both in fact and in law;
4. The conduct of the foreign relations of Danzig by Poland;
5. The position of diplomatic and other Polish officials in Danzig.

The Council will consider at its session in September such of these disputes as have not been successfully settled by that time. At the close of that session a summary report will be made to the Council by the Secretary-General covering all Danzig questions from February 1923 up to that time. This report will be circulated to the Members of the League and published in the *Official Journal*.

Further developments with regard to the question of the financial situation of the Free City will be found recorded under the section of this report which deals with the work of the Financial Committee of the League.

8.

PROTECTION OF MINORITIES.

I. BALTIC STATES.

(a) *Esthonia.*

The Council, at a meeting held on July 4th, 1923, decided to forward to the Assembly a report which had been submitted to it by the Brazilian representative on the negotiations conducted with the representative of Esthonia on the subject of the protection of minorities in that country.

The Council further decided to put this question on the agenda of its session to be held before the opening of the Assembly, when it would be able to note any further information on the subject which might be presented, and to define its own attitude in regard to the matter.

(b) *Latvia.*

At a meeting of the Council held on July 7th, 1923, the representative of Latvia made a declaration in regard to the protection of minorities in Latvia. This declaration has been approved by the Latvian Government, and the proposals contained in this declaration have been accepted by the Council. A document containing the text of the declaration has been communicated to the Members of the Assembly.

(c) *Lithuania.*

M. Salandra, President of the Council, at a meeting of the Council held on July 7th, 1923, made a communication concerning the ratification of the declaration made by Lithuania in May 1922 in regard to the protection of minorities in that country. This declaration has been placed on the table of the Lithuanian Parliament, and the Council has expressed the wish that it may be able to note the ratification of the declaration during its session to be opened on August 31st, 1923. The Lithuanian Government, however, has since informed the League of Nations that, owing to the interruption of the work of the Lithuanian Parliament during vacation, the question has been postponed until Parliament reassembles on September 15th.

II. ALBANIA.

The Secretary-General informed the Council at its meeting of July 7th that a law had just been voted in Albania concerning the legal status of the religious communities in that country. The Council has decided to examine this question at its next session in conformity with Article 5, paragraph 2, of the Albanian declaration of October 2nd, 1921.

III. POLAND.

Among the questions raised in the report presented to the Council on May 17th, 1922, on the subject of the petitions received from the Germanic League in Poland (*Deutschtumsbund*) was contained the question of the interpretation of Article 4 of the Polish Minorities Treaty. The report of M. da Gama of September 30th, 1922, which contained the opinion of a committee of jurists on this subject, was, according to the decision of the Council, forwarded to the Polish Government. The Polish Minister for Foreign Affairs, by his note of December 7th, 1922, declared, as regards the interpretation of Article 4, that the Government could not change its interpretation of that article as long as the Germans showed a tendency to quote this article for purposes other than that of guaranteeing the interests of private persons.

In the opinion of the Polish Government, moreover, Article 4 is not one of the articles which was placed under the guarantee of the League of Nations.

M. da Gama, in his report submitted to the Council on February 2nd, 1923, mentioned the fact that Poland had informed the Secretary-General that the question of the interpretation to be placed on this article was then the subject of negotiation between the representatives of the German Government and of the Polish Government at Dresden, and that, in these circumstances, the Polish Government believed that the question might be eliminated from those dealt with in the opinion of the jurists.

M. da Gama proposed, in view of this information, that it would perhaps be well for practical reasons not to submit this question to the Permanent Court of International Justice for an advisory opinion, as had been done by the Council regarding the other questions relating to the position of the German minority in Poland, but to await the result of the negotiations which were in progress.

M. da Gama said it was understood that the League of Nations, in taking this decision, reserved its full rights under the minorities treaties.

The question came before the Council during its session in July 1923. As there seemed no prospect of the negotiations at Dresden being concluded in the near future, the Council decided,

on July 7th, 1923, to submit this question to the Court for an advisory opinion. A request was addressed to the Court in the following terms:

"The Council of the League of Nations, having received notice of the following question :

"The Polish Government has decided to treat certain persons who were formerly German nationals as not having acquired Polish nationality and as continuing to possess German nationality, which exposes them in Poland to the treatment laid down for persons of non-Polish nationality, and in particular of German nationality;

"On the one hand, on the ground that these persons were born in the territory which is now part of Poland, their parents having been habitually resident there at the date of this birth, it is maintained that, in virtue of Article 4, paragraph 1, of the Treaty of June 28th, 1919, between the Principal Allied and Associated Powers and Poland, they are *ipso facto* Polish nationals, and consequently enjoy all the rights and guarantees granted by the provisions of the said Treaty to Polish nationals belonging to racial, religious or linguistic minorities ;

"On the other hand, the Polish Government considers itself entitled not to recognise these persons as Polish nationals if their parents were not habitually resident in the above-mentioned territory both on the date of birth of the person concerned and on the date of the entry into force of the above-mentioned Treaty, namely, January 10th, 1920. It is consequently maintained that these persons cannot legally enjoy the guarantees granted by the Treaty ;

"Requests the Permanent Court of International Justice to give its advisory opinion, if possible during the present session, on the following questions:

"(1) Does the question regarding the position of the above-mentioned persons, in so far as they may belong to racial or linguistic minorities, arising out of the application by Poland of Article 4 of the Treaty of June 28th, 1919, between the Principal Allied and Associated Powers and Poland, fall within the competence of the League of Nations under the terms of the said treaty ?

"(2) If so, does Article 4 of the above-mentioned treaty refer solely to the habitual residence of the parents at the date of birth of the persons concerned, or does it also require the parents to have been habitually resident at the moment when the treaty came into force?

"The Secretary-General is authorised to submit this request to the Court, together with all documents concerning the question, to inform the Court of the action taken by the Council in the matter, to give all necessary assistance in the examination of the case and, if necessary, to arrange to be represented at the Court."

IV. QUESTIONS OF PROCEDURE.

The representative of Poland addressed to the Secretary-General on January 16th, 1923, a memorandum containing certain observations regarding the principles on which the protection of minorities by the Council of the League of Nations was based and concerning the rules of procedure established for this purpose. These observations were intended to afford the Council an opportunity of expressing its views on the subject. The document was published in the *Official Journal* of the League of Nations, May 1923.

M. Benes, Minister for Foreign Affairs of the Czechoslovak Republic, addressed to the President of the Council of the League of Nations on April 5th, 1923, a note containing certain observations on the resolution of the Council relating to the protection of minorities. These observations were presented in order that there might not be given to certain provisions contained in the resolutions of the Council an interpretation which might carry them beyond the scope of the minorities treaties, and the Council was asked, in the light of these observations, to pass a resolution in order to interpret and to complete the resolutions in question. This note was published in the *Official Journal*, September 1923.

Finally, on August 22nd, 1923, the representative of Poland addressed a new note to the League of Nations completing the note of January 16th and dealing with the circumstances in which minorities petitions should be admitted.

These notes will be examined by the Council during its next session.

9.

MANDATES.

The third session of the Permanent Mandates Commission was held at the seat of the League of Nations from July 20th to August 10th, 1923. During this session, the Commission held thirty-three meetings, two of which were public. All the members of the Commission took part in its work, except the Count de Ballobar, who was unable to attend owing to ill-health.

ANNUAL REPORTS OF THE MANDATORY POWERS

During the session, the Commission considered the reports on the administration of the eleven territories under B and C mandates. The examination of these reports was carried out in the following order, with the assistance of the accredited representatives of the mandatory Powers, whose names are given below:

1. For the reports on the French Cameroons and Togoland:
M. Duchêne, Councillor of State, Director of Political Affairs in the Ministry for the Colonies.
2. For the report on the islands under Japanese mandate:
H.E. M. M. Matsuda, Minister Plenipotentiary.
3. For the report on Ruanda-Urundi:
H.E. M. Pierre Forthomme, Honorary Minister Plenipotentiary, Member of the Belgian House of Representatives.
4. For the report on South-West Africa:
The Right Hon. Sir Edgar Walton, K.C.M.G., High Commissioner of the Union of South Africa in London.
5. For the reports on Tanganyika, British Cameroons and British Togoland:
The Hon. W. Ormsby-Gore, Under-Secretary of State for the Colonies.
6. For the report on New Guinea:
The Rt. Hon. Sir Joseph Cook, G.C.M.G., High Commissioner for Australia in London.
7. For the report on Western Samoa:
The Hon. Sir James Allen, K.C.B., High Commissioner for New Zealand in London.
8. For the report on Nauru:
The Rt. Hon. Sir Joseph Cook, G.C.M.G., High Commissioner for Australia in London.

The International Labour Organisation was represented in an advisory capacity in the discussion of questions connected with conditions of labour.

The Commission did not consider it desirable to examine the report on the administration of Palestine communicated to it by the British Government, since the Commission had been informed that the Palestine mandate would not enter definitely into force until the French and Italian Governments had notified the President of the Council of the League of their agreement on certain special points affecting Syria.

The Commission, having decided on the terms of its observations on the annual reports of the mandatory Powers, forwarded them to the Governments concerned. These observations have now been submitted to the Council of the League together with such comments as have been transmitted by the Mandatories.

THE BONDELZWARTS AFFAIR.

The third Assembly, on September 20th, 1922, passed the following resolution:

"The Assembly,

"Highly appreciating the action taken by the Government of South Africa in communicating, in its capacity of mandatory Power for South-West Africa, the report on the Bondelzwarts Rebellion, 1922;

"Moved by feelings of great anxiety for the welfare and the relief of the survivors:
"Resolves to express:

"(a) Its profound satisfaction with the official statement made by Sir Edgar Walton, delegate for South Africa, that a full and impartial enquiry will be made into all the facts of the Bondelzwarts Rebellion and its repression;

"(b) The confident hope that the Permanent Mandates Commission, at its next session, will consider this question and be able to report that satisfactory conditions have been established; and that, in the meanwhile, the mandatory Power will make every effort to relieve the sufferings of the victims, particularly the women and children, and that it will ensure protection and restitution of the remaining live-stock, and, in general, the restoration of the economic life in the Bondelzwarts district."

The Commission considered this question in the light of documents placed at its disposal by the Government of the Union of South Africa. The report of the Commission has been forwarded to the mandatory Power for its information and communicated to the Council of the League, together with the comments of the accredited representative of the Union of South Africa.

THE QUESTION OF SLAVERY.

The following resolution relating to the question of slavery was adopted on September 21st, 1922, by the third Assembly:

"The Assembly decides that the question of slavery shall be included in the agenda of the fourth Assembly and requests the Council to present to that Assembly a report on the information which it shall have received on the matter."

The Council considered this resolution at its meeting of September 26th, 1922, and unanimously adopted a report presented by the Spanish representative, concluding with a resolution in the following terms:

"The Council of the League of Nations, on the invitation of the third Assembly, decides to present a report to the fourth Assembly on the question of slavery. With a view to the preparation of this report, the Council instructs the Secretary-General to study the question and, in particular, to request the Governments of the Members of the League to supply the Council with any information on the existing situation which they possess and which they may see fit to communicate to it."

In accordance with this decision, the Secretary-General, on October 9th, 1922, addressed a letter to all the States Members of the League requesting information on the subject. When the Council met in April 1923, only 14 of the 52 States Members had replied. The Secretary-General was therefore instructed to address a second letter to the States whose answers had not yet been received. Twenty-three replies to the enquiry have been transmitted to the Secretariat up to the present date.

At its meeting of July 5th, 1923, the Council, having considered the results of the enquiry, adopted the following resolution:

"The Council of the League of Nations,

"Having regard to the recommendation which was adopted by the third Assembly, and with which it concurred, that a report on the question of slavery should be presented to the fourth Assembly:

"And having regard, on the other hand, to the fact that the information which has been collected so far from the States Members of the League is not adequate to provide the basis of a sufficiently complete report:

"Decides:

"(a) To communicate to the fourth Assembly the reports which have so far been received by the Secretariat and also any which may subsequently be received;

"(b) And to request the Secretariat to continue its efforts to secure information on the subject and authorise it to extend its enquiries to Governments of countries not Members of the League."

A letter was accordingly addressed on July 16th, 1923, to certain Governments not Members of the League requesting them to send, if possible, such information as they might possess relating to slavery; and on July 25th, 1923, the Secretary-General communicated to the Members of the League the text of the reports referred to in the resolution.

WORK OF THE TECHNICAL ORGANISATIONS.

I. THE ECONOMIC AND FINANCIAL ORGANISATION.

A. THE FINANCIAL RECONSTRUCTION OF AUSTRIA.

In the general report on the work of the Council the history of the financial reconstruction of Austria was carried down to the conclusion of the arrangements made for the flotation of the long-term loan.

1. Flotation of the Loan.

Subscriptions to the loan were opened in London, New York, Stockholm, Amsterdam and Vienna early in June. Later on followed the subscriptions in Switzerland, Rome and Brussels,

The London issue, which amounted to fourteen million pounds, was covered more than three times over within two hours, and the New York issue, amounting to twenty-five million dollars, was covered several times over in a quarter of an hour. The issues in Stockholm, Amsterdam, Switzerland and Rome were also covered several times over. The subsequent prices of the loan, however, which have hovered round par in London and New York, show that it would not have been safe to attempt an issue on more advantageous terms. At the same time, the event has proved that the loan system laid down by the protocols, though condemned in various quarters as too intricate and unlikely to inspire confidence in the investing public, was secure and practical.

The following is a recapitulation of the issues and the results:

Market	Firm conducting the flotation	Total (nominal)	Date of subscription	Results of subscription
London . .	Bank of England.	£ 14,000,000	June 11th-14th.	Subscribed several times over
New York .	J. P. Morgan & Co.	\$ 25,000,000	June 11th	
Stockholm .	Stockholm's Enskilda Bank.	13,110,000 Swedish crowns	June 12th	
Amsterdam.	Hope & Co.	Guld. 3,000,000	June 15th	No public subscription.
Brussels . .	Société générale de Belgique.	25,000,000 Belgian francs	June 15th	
Switzerland.	Union Financière de Genève.	25,000,000 Swiss francs	June 25th	Subscribed several times over. Completely subscribed.
Austria . .	Postsparkassa.	\$ 13,000,000	June 1st-30th.	
Paris . . .	Banque de Paris et des Pays-Bas.	170,000,000 French francs	—	Issue now in progress.
Rome . . .	Banca d'Italia.	200,000,000 lire	July 21st	Subscribed several times over
Prague . .	Czechoslovak Government.	60,000,000 Gold crowns	—	No public subscription.

The following table shows the rate of interest, the rate of issue, and the sum actually yielded by the various instalments:

Market	Nominal total of issue	Rate of interest	Rate of issue	Actual total	Actual total in dollars
London . .	£ 14,000,000	6%	80%	£ 11,200,000	\$ 51,660,000
New York	\$ 25,000,000	7%	90%	\$ 22,500,000	\$ 22,500,000
Stockholm.	13,110,000 Swedish crowns.	6%	80%	10,488,000 Sweden crowns.	\$ 2,784,564
Amsterdam	3,000,000 florins.	6%	80%	2,400,000 gold.	\$ 940,560
Brussels . .	25,000,000 Belg. francs.	6%	80%	20,000,000 Belg. francs.	\$ 1,082,000
Zurich . .	25,000,000 Swiss francs.	6%	80%	20,000,000 Swiss francs.	\$ 3,592,000
Vienna . .	\$ 13,000,000	7%	93%	\$ 12,090,000	\$ 12,090,000
Paris . . .	170,000,000 French francs.	6½%	84%	142,800,000 French francs.	\$ 9,029,520
Rome . .	200,000,000 lire.	6½%	93%	186,000,000 lire.	\$ 8,616,450
Prague . .	60,000,000 (?) gold crowns.	(?)	(?)	60,000,000 (?) gold crowns.	\$ 12,158,055 (?)
				Total	\$124,453,149

The British, French, Italian and Czechoslovak Governments, which in 1921 and 1922 gave short-term credits to Austria, have converted them by accepting bonds of the long-term loan, and the Austrian assets upon which these advances were secured have been restored to the Austrian Government.

The short-term loan floated by the Austrian Government in February 1923 (approximately £3,500,000) has also been largely converted. Bond-holders of the short-term loan were granted

the option of converting into the long-term loan, and the majority have made use of this right. The Austrian Government has repaid the bonds of the short-term loan which were not converted. The whole of the short-term loan has accordingly been repaid.

The long-term loan will yield the Austrian Government (*i.e.* in addition to the repayment of the obligations incurred to the Allied Governments in 1922 and the repayment of the short-term loans) new money amounting to more than 326 million gold crowns, or 4,702 milliard paper crowns. To this sum should be added a further 20 million gold crowns which is being lent directly to the Austrian Government by the Swiss Government, and 26 million gold crowns which is the anticipated yield of the Spanish guarantee. Thus a total sum of 372 million gold crowns, or 5,357 milliard paper crowns, of new money will be available. This should be sufficient to meet the needs of the Austrian Treasury up to the end of 1924, provided the State finances continue to be managed in accordance with the programme of reform framed by the provisional delegation.

The Council of the League, on July 20th, 1923, appointed as trustees for the loan M. Janssen M. Wallenberg and Mr. Jay.

2. *The Financial Situation.*

It was noted in the general report (See Annex 5, page 238) that the March and April budgets of the Austrian Government were well within the programme of reform, which aims at securing budget equilibrium by the end of 1924.

The figures for May and June were also within the limits approved by the provisional delegation, as is shown in the following table:

Average January—June 1923 (Delegation)	May	June	Monthly average
<i>Milliards of paper crowns.</i>			
Expenditure	719	729.6	747.6
Receipts	380	425.3	443.8
Deficit	339	304.3	303.8

The liabilities for June were exceptionally heavy. A large sum was required for the repayment of the treasury bonds issued in November, December and January last. Moreover, summer work necessitated more than an average amount of expenditure. Further, in order to simplify accounts, the Commissioner-General authorised the payment of monthly pensions in a lump sum instead of every fortnight, so that the June estimates included salaries for the whole of July. The expenditure also included a large sum paid over by the Federation to the provinces and communes as their share of certain receipts to which they were entitled. The increase in expenditure was therefore only apparent, and there was in reality an appreciable saving as compared with the previous months.

The Commissioner-General, reporting on the accounts for May 1923, draws attention to the exceptional yield of the taxes. This was due largely to the practice of collecting the taxes in advance, adopted by the Austrian Administration during a period of depreciation in order to avoid losses from the constant fall of the exchange. This practice has, to a certain extent, been continued. The revenue thus collected was placed in reserve and used to repay on June 1st such portion of the internal loans as had not been converted into the long-term loan.

The closing account for the first three months of 1923 showed a reduction of 40 milliards in the deficit estimated by the provisional delegation, and by 56 milliards of the amount allowed for in the revised estimates. The figures for April were still more favourable. The deficit, instead of being 358 milliards, was only 15 milliards. These results, however, were due to a number of exceptional circumstances, and in particular to the payment of taxes in advance.

During the first four months of 1923 the expenditure was only 14 milliards in excess of the estimate of the provisional delegation and 68 milliards less than the figures authorised by the Commissioner-General. The actual revenue exceeded the estimate of the provisional delegation by 377 milliards and exceeded the figures submitted to the Commissioner-General by 330 milliards.

The Commissioner-General has thus been able to remain well within the limits determined by the provisional delegation of the League of Nations. The gross expenditure authorised has been greater than that laid down in the scheme, but the estimated receipts have been largely exceeded, and the deficit for the first reform period (January to June 1923) was considerably less than the estimate on which the issue of the loan was based.

The budget for 1923 was voted by Parliament on June 22nd, and the regime of provisional monthly budgets was thus terminated. The budget falls into three divisions: (1) central administration, (2) monopolies, and (3) State enterprises.

(1) Central administration:	
Total gross expenditure	6,478 milliards
Total gross revenue	4,938
Deficit	1,543
(2) Monopolies:	
Net receipts	891
(3) State enterprises:	
Net deficit	2,012

Adding the deficit of 2,012 milliards for State enterprises to the deficit for central administration, less the proceeds of the monopolies, a deficit is shown for 1923 of 2,663 milliards of paper crowns, or 185 million gold crowns. This is lower than the deficit provided for in the Agreement between the Provisional Delegation and the Austrian Government.

The Commissioner-General during the first reform period (January to June 1923) set free 1,997.5 milliards of loan money to cover the monthly deficits on the budget, which leaves him with a margin for the second period of some 20 million gold crowns. He points out, however, that this is partly due to the high yield of the taxes and to the payment of direct taxes in advance.

3. *The Economic Situation.*

The improvement in the economic situation is shown principally in the rapid decrease in the number of unemployed between February and June. In February there were 170,000 unemployed in receipt of doles. The number of unemployed at the end of June had fallen to 95,000; about 65,000 in Vienna as compared with nearly 100,000 four months previously. There is an increased activity in many industries. Large purchases of raw materials abroad, though they have depressed the commercial balance sheet, are a favourable symptom of a period of economic revival.

4. *Execution of the Programme of Reform.*

The reforms achieved in respect of the Austrian budget have already been noted. Further progress has been made in the reduction and amalgamation of the various ministries. The Federal Chancellory has been housed in the Ministry of Foreign Affairs after a reduction of staff and a reorganisation of its sections and departments.

The progress made in the reduction in the number of Government officials is still, however, less than is required by the programme of reconstruction. The Austrian Government undertook to discharge 100,000 officials before June 30th, 1924, and 50,000 were to be discharged up to June 30th, 1923. The total number of officials discharged up to July 7th, 1923, however, was only 44,871.

Equally urgent is the reform of the State railways, which is still the chief problem in the work of Austrian reconstruction. On the proposal of the Commissioner-General, Sir William Acworth, one of the most distinguished railway experts in England, has gone to Vienna in order to advise the Austrian authorities. The Swiss Government has also, on the invitation of the Commissioner-General, sent Dr. Herold, Director of Railways in the Swiss Federal Department of Railways, Posts and Telegraphs. The Commissioner-General hopes that, with the assistance of these experts, it will be possible to reach an early solution of this difficult problem, which is one of the principal causes of the Austrian deficit.

Sir William Acworth has already made a journey of inspection and the results of his inquiries will be embodied in a report which will shortly be available.

The Austrian Government recently drafted a scheme for the constitution of an autonomous enterprise to be known as the "Federal Railways", separate from the central administration and constituted on a commercial basis. This scheme has been considered by Sir William Acworth, who has presented his observations. The Austrian Government subsequently modified the scheme, which has been adopted by the Austrian Parliament.

Meanwhile, the Commissioner-General has taken up the important question of electrification.

In 1920, the Austrian Parliament contemplated an extensive programme for the electrification of the principal railways in Western Austria. The work was delayed owing to financial difficulties, but was nevertheless well advanced on the Arlbergbahn and the Salzkammergutlinie. The Austrian Government, on June 24th, 1923, asked the Commissioner-General to free the sums necessary to finish the work on these two lines, *i.e.*, 42 million gold crowns for the years 1923-1924. The Commissioner-General estimates that electrification will enable an annual economy to be made in the exploitation of the lines of 7,360,000 gold crowns. He has therefore decided to release the monthly sums necessary to hasten the work on these lines, which it is hoped will be finished in the autumn of 1924.

Another reform is the increase of passenger fares by 25 per cent. The old fares were 50 per cent lower on a gold basis than those of 1914. An increase by 50 per cent of postal charges has also been introduced.

5. *Conclusions.*

The outstanding event of the period under review is, of course, the successful issue of the long-term loan. Its effect upon the monetary situation of Austria is thus described by the Commissioner-General in his sixth report:

"The rehabilitation of Austrian credit and the preparations for the guaranteed loan have had some effect on the monetary situation of the country. The money market

not only received foreign currency in May from the Austrian Government, which realised a portion of the foreign credits placed at its disposal, but also received large quantities from the public: many Austrians, regaining confidence, transferred their foreign investments to the country and converted them into crowns; foreigners invested capital in Austria, and the supply of foreign currency was greater than the market required.

"The cash reserve of the National Bank thus increased considerably between May 7th and June 7th. The paying up of that portion of the share capital which was hitherto represented by treasury bonds in dollars raised it to 146 millions of gold crowns. It covers 35.9 % of the Bank's liabilities, as against 31 % on May 7th.

"The acceptances of State bills in paper crowns have decreased by 3 milliards; if this amount is deducted from the Bank's liabilities, in accordance with the Statutes, we obtain a cover of 70.1 % on June 7th, as against 65.7 % on May 7th and 20 % laid down in the Statutes.

"The crown has remained stable at 14,400, in spite of the heavy depression of the currencies of certain neighbouring countries. The deposits in the Banks and Savings Banks have increased by a further 14 %, and the Stock Exchange index by 9 %. In addition, a further rise occurred at the beginning of June, bringing the index, which was 1284 in May, to 1479 on June 15th. Thus a new step has been taken towards adjustment; and this demonstrates the confidence of Austrian and foreign circles in the economic future of the country and the Vienna banking system.

"As regards the cost of living, a further increase of 1 % took place between May 15th and June 15th. The official index figure of prices is now identical with the exchange index, although in most foreign countries it is 50 % or 60 % higher."

Dr. Zimmerman sums up the general results of the loan as follows:

"All the engagements undertaken towards Austria have now been fulfilled; the necessary means for the restoration of the country have been placed at the disposal of those responsible for the work. The achievement of this restoration now only depends upon the energy displayed throughout the country and on the co-operation of all in the common endeavour to attain the object in view.

"Several lessons may be drawn from the experiences which have so far been gained. The value of an international guarantee for the placing of a loan on the world markets has been fully demonstrated. The collaboration of American capital in a work of European reconstruction is an encouraging symptom and is of symbolic importance.

"Further, it has been seen with what rapidity the finances of a State which have been sapped by deficits for years can be improved from the moment reforms are taken in hand. The reduction of expenditure which has been obtained shows how much waste can be avoided when the sense of endeavour, hope and confidence has been restored. Subsequent progress is clearly more difficult; it requires double the energy and courage...

"The confidence shown by foreign countries has indeed established confidence within the country, and the flight of capital, which caused the heavy fall in exchange, has given place to a return of capital....

"The yield of the loans which have so far been issued will serve to cover the deficit of the State until the budget has been put in order; its gradual absorption in the reserve of the Bank should provide a fund capable of supporting the exchange during the period — no doubt, a long one — which will be required to stabilise the economic organism and to ensure equilibrium between production and consumption. These two aspects of the question, the financial problem and the economic problem, are closely inter-related. The financial restoration of Austria demands a more intense development of economic life as well as an improvement of national finances."

B. INQUIRY INTO UNEMPLOYMENT: COLLABORATION WITH THE INTERNATIONAL LABOUR OFFICE.

The third Assembly in a resolution adopted on September 28th, 1922, noted a decision of the General Labour Conference of 1921, calling for an inquiry into the national and international aspects of the unemployment crisis, and requesting the International Labour Office to call into co-operation the Economic and Financial Section of the League of Nations for the solution of the financial and economic questions involved (See Annex 5, page 243).

The Economic Committee, during its May session, considered the scope and method of this co-operation, and the Financial Committee, during its June session, fully endorsed the views of the Economic Committee on this question, as contained in a letter of May 19th addressed to the Director of the International Labour Office.

The Economic Committee took the view that the problem of unemployment was eminently one for the study of which the primary responsibility rested with the International Labour Office. The report on this question should therefore be a report of the International Labour Office, in the preparation of which the Economic and Financial Organisation would give such assistance as it could, but which should not be in form and character a joint report.

The Economic and Financial Organisation was prepared to collate and supply information as to economic and financial phenomena which had a bearing upon unemployment. Such information, however, must be objective, implying no opinions of policy, and carrying no responsibility

for any deductions of a speculative or controversial character. The Economic and Financial Organisation considered that the initiation of any policy by which a solution of the problem of unemployment might be achieved or facilitated transcended its scope and authority.

Special attention was drawn to the work being done in different parts of the world on the question of trade cycles and their effect upon unemployment, and it was suggested that the Economic and Financial Organisation of the League might assume responsibility for collecting this information and including it in the report of the International Labour Office in the form of an economic and financial memorandum. The Economic Committee was itself prepared to contribute a memorandum on the increase of certain industries whose products were in enormously greater demand under war than under peace conditions, and it was further suggested that special work might be undertaken by the Financial Committee on the relation between the processes of stabilisation and deflation of currencies in various countries and the volume of trade and unemployment.

The Financial Committee, while approving the general terms of the letter of May 19th, expressed the view that nothing could usefully be added in regard to the stabilisation and deflation of currencies to the statements already made at the Brussels Financial Conference in 1920 and at the Genoa Conference in 1922.

The Council, on July 2nd, noted the correspondence exchanged between the Secretariat of the League of Nations and the International Labour Office, and approved the views expressed in the letter of May 19th, 1923.

C. WORK OF THE ECONOMIC COMMITTEE.

I. *Report of the Economic Committee approved by the Council.*

The Council, on July 2nd, 1923, approved the work accomplished by the Economic Committee during its eighth and ninth sessions. A summary of the results of this work will be found in the General Report (See Annex 5, pages 241-243).

The Council, in approving the work of the Committee:

- (a) Expressed the hope that as large a number of States as possible would participate in the International Conference on Customs Formalities;
- (b) Drew the special attention of the States Members of the League to the draft protocol on arbitration clauses which would be opened at the fourth Assembly, and invited them to give their delegates the necessary instructions to adhere;
- (c) Recommended to all the States Members of the League the principles established by the Committee for the treatment of foreign nationals and enterprises, and urged that these principles should be put into practice both by the adaptation of their national legislation to this end and by the conclusion of bi-lateral agreements; and
- (d) Approved the report of the Economic Committee in regard to bills of exchange, unfair competition, the unification of methods in economic statistics, and the equitable treatment of commerce (See Annex 5, pages 241-243).

As regards the question of bills of exchange, it is advisable to point out that the meeting provided for in the General Report (page 243), took place at The Hague on July 15th and 16th, 1923. The rapporteurs agreed to address to the Economic Committee a general report embodying their conclusions. This report is reproduced in Doc. C. 487. M. 203, containing also the individual reports of the four rapporteurs submitted previously to the Economic Committee.

D. WORK OF THE FINANCIAL COMMITTEE.

The Council approved, on July 2nd, 1923, the report of the Financial Committee on the work accomplished during its tenth session, held at Geneva from June 21st to June 24th, 1923.

I. *Double Taxation and Fiscal Evasion.*

The Council noted the progress achieved in the study of double taxation and fiscal evasion. It congratulated the eminent economists, M. Bruins, M. Einaudi, Mr. Seligman, and Sir Josiah Stamp on their valuable work (see Annex 5, page 245), and approved the arrangements made for a further examination of the problem by the government experts in October.

2. *The Financial Position of the Free City of Danzig.*

The Council, on July 2nd, 1923, considered the report of the Financial Committee on the financial situation of the Free City (see Annex 5, page 243).

It noted the decision taken by the Reparation Commission on May 18th, 1923, to the effect that, in order to facilitate the conclusion of such financial arrangements as the League might consider necessary for the assistance of Danzig, it would not claim any special security from Danzig in respect of any debt that was due (see General Report, A. 10. 1923, p. 63). Its attention was also drawn to a letter from the Conference of Ambassadors, dated June 27th, intimating that a

questionnaire would be forwarded to the Secretariat of the League, with a view to obtaining exact information regarding the financial situation of Danzig.

The Council, noting this correspondence, requested the Secretariat to send at once to the Conference of Ambassadors any information which might throw light on the question. At the same time, it expressed a hope that, in view of the urgency of the question, the Conference of Ambassadors would not necessarily await the receipt of this information before taking a decision, but that it would put no obstacle in the way of the issue of the loan which the Free City proposed to raise, so that the assets necessary for securing the loan might be entirely released.

The Council thanked the Reparation Commission for the sympathetic attitude revealed in its letter of May 18th, 1923, and requested the Financial Committee to keep it informed as to a scheme for currency reform which Dr. Volkmann, Financial Senator of the Free City, had explained to the Committee, but which was not yet officially established.

3. *Greek Loan for the Settlement of Refugees.*

It has been noted that, on April 23rd, 1923, the Council appointed a sub-committee, consisting of its British, French and Italian members, and a representative of the Greek Government, to receive a report on the Greek loan from the Financial Committee, and to advise the League whether it could itself accept any responsibility in the matter (see Annex 5, page 245).

The Financial Committee presented its report to the sub-committee of the Council in July. The report was based on information in part supplied by the Greek Government in answer to a questionnaire and in part prepared by the Secretariat of the League. The Financial Committee had also received two valuable reports—one from M. Parmentier, who, accompanied by M. Stoppani, went to Athens in May in order to investigate conditions on the spot in co-operation with Dr. Nansen's High Commissariat for Refugees; and the other from Colonel Procter, Dr. Nansen's representative, who was in Greece studying practical measures of relief and settlement.

The sub-committee of the Council, which consisted of M. Caclamanos, Lord Robert Cecil, M. Hanotaux and Signor Salandra, and was also attended by an unofficial representative of the United States, carefully considered the plan approved by the Financial Committee, and decided to recommend that a Refugee Settlement Commission should be formed. This Commission should consist of two members nominated by the Greek Government and an additional member to be nominated for the League. A representative of an American relief organisation should be invited to serve as chairman, with a casting vote, and a person experienced in land settlement should be appointed as a member or as technical director.

The Greek Government would be invited to assign land to the Commission fit for immediate cultivation, and this property would be vested in the Commission until the liquidation of the whole scheme, when any balance, both of the land or any other assets remaining, would be returned to the Greek Government.

It was suggested that the Greek Government should arrange with Greek banks or groups to underwrite a certain portion of the loan, and that negotiations should afterwards be opened with external banks. In execution of this programme, the Greek Government has already begun negotiations with banks at Athens and abroad.

It was further proposed that the Greek Government should assign and place under the control of the Commission as securities for the loan, apart from the land itself, a number of Greek Government revenues controlled by an independent authority. A selection from among the revenues available could not, however, be made until the negotiations with the banks have taken place. The entire proceeds of the loan would be placed at the disposal of the Commission.

The Council considered and approved the report of its sub-committee on July 5th, 1923. It declared the securities offered by the Greek Government to be suitable as a basis for the negotiation of a loan, and affirmed its willingness, after having verified the conditions of the loan, to assist in organising the administration of the funds produced, in order to give the lenders assurance that they would be employed in accordance with the scheme.

The Council also appointed a small committee, consisting of Dr. Nansen, High Commissioner for Refugees, of a representative of the American Relief Organisations, and of a representative of the Greek Government, to consider what measures the Greek Government might take for the temporary relief of the refugees until the loan fund became available.

Immediately after the Council session, the Greek Government informed the Secretary-General that it would devote ten million drachmæ a month for the provisional aid of the refugees until the plan of relief under the loan came into operation.

The Greek Government has subsequently written to say that preliminary negotiations have been undertaken in London; the Bank of England has offered, under certain conditions, to make to the National Bank of Greece a provisional advance of about £1,000,000. The constitution of the Refugee Settlement Commission is therefore a matter of urgency.

(An account of the position of the refugees in the Near East and the measures taken to relieve them will be found under the heading "Refugees from Asia Minor", p. 316).

4. *Report of the Financial Adviser to Albania.*

It was noted in the General Report on the Work of the Council that Mr. J. H. Hunger, Financial Adviser to the Albanian Government, would present a quarterly report to the Council (See Annex 5, page 245).

Mr. Hunger communicated his first report for the information of the Council on August 3rd, 1923. It covers the period from June 1st to July 24th, 1923.

It is proposed to establish a bank of issue in Albania. The terms of the statutes will be discussed by the Financial Committee during its September session.

II. — THE ORGANISATION FOR COMMUNICATIONS AND TRANSIT.

The Advisory and Technical Committee for Communications and Transit met on August 29th, 1923. The Agenda is as follows:

1. Adoption of the Agenda.
2. Report of the Sub-Committee to consider the question of opium in free ports.
3. Report of the Mixed Sub-Committee of the Health Committee and of the Communications and Transit Committee.
4. Summer Time.
5. Unification of tonnage measurement for inland navigation.
6. Unification of private law as regards inland navigation.
7. Execution of the resolutions of the Genoa Conference.
8. Report of the Delegation at the International Navigation Congress held in London on July 2nd to 7th, 1923.
9. Report of the Delegate at the meeting of the International Air Traffic Association.
10. Budget of the Communications and Transit Organisation for the year 1924.
11. International Motor-driving Licence.
12. Reform of the Calendar.
13. Report to the second General Conference on the work of the Advisory and Technical Committee since the first General Conference, and report to the Assembly.
14. Miscellaneous questions.

Previous to the session there was a meeting of the mixed sub-committee, consisting of members of the Transit Committee and the Health Committee, which had been requested to examine the question of the measures to be taken in order to prevent the spread by waterways of epidemic diseases. The mixed sub-committee discussed a draft scheme adopted by the Health Committee.

During the session held in April 1923, the Italian representative laid before the Council a memorandum suggesting that the advisability of holding a conference on wireless telegraphy should be considered. The Council decided to ask the Transit Committee to arrange for this memorandum to be examined by a committee of specialists.

The committee of specialists, which consisted of —

- Mr. BROWN, Assistant to the Secretary of the General Post Office at London;
- M. BROIN, Director of the Telegraphic Service of the Under-Secretariat of Posts and Telegraphs at Paris; and
- M. G. ANGELINI, Director of Electrical Communications in the Postal Ministry at Rome —

met on July 16th and 17th, in London, and adopted the following resolution:

"The Committee of Experts, meeting on the initiative of the Advisory and Technical Committee for Communications and Transit of the League of Nations, in order to examine the proposals contained in the memorandum, dated April 21st, 1923, presented by the Italian Government to the Council of the League of Nations, and in conformity with the decision of the Council of the League of the same date, expresses the opinion:

"(1) That it is necessary, in accordance with the suggestions of the Italian Government, to prepare within the shortest possible time international regulations applicable to all radio-telegraphic communications, these regulations being established in connection with the international regulations applicable to telegraphic communications;

"(2) That to this end an international conference at one and the same time telegraphic and radio-telegraphic should meet without delay, and, if possible, in the first half of the year 1924 ;

"(3) That this conference, in order to attain its end, should include representatives of as many interested nations as possible, including the United States and Germany ;

"(4) That, as the different Governments would need to be notified at least six months before the meeting of such conference, the invitations to this conference, if it is to be held, as is desirable, in the first six months of 1924, should be sent before the end of 1923 at the latest, so that the final decisions concerning the method of invitation and place of meeting, etc., should be reached before the middle of October next ;

"(5) That, in so far as the method of invitation and the place of meeting of the conference are concerned, it is advisable for the moment, and until the middle of October, in order to avoid any possible duplication, only to take note of the declarations from which it appears that the French Government, as a sequel to the work of the

Washington Conference, has already sent a provisional invitation for a conference to be held in Paris, and is endeavouring to ensure the universality indispensable to such a conference, and, notably, the co-operation of the United States;

"(6) That, in case it does not appear certain, by the middle of October, that the conference could be held within the time and under the conditions mentioned above, and in accordance with the procedure and the place of meeting which are now the object of these negotiations, it would be desirable for the Committee to meet again on or about October 15th to consider the situation and to re-examine the Italian proposal."

III. THE HEALTH ORGANISATION.

1. *Constitution of the Permanent Health Organisation.*

The Council, on July 7th, 1923, approved the scheme for the constitution of a Permanent Health Organisation prepared by the Mixed Committee of the Health Committee of the League of Nations and the Committee of the "Office international d'Hygiène publique" (See Annexe 5, page 249), and decided that this scheme should be submitted for examination to the Assembly.

The constitution of the Permanent Health Organisation would, under this scheme, correspond to that of the other technical services of the League. It would include: (a) a General Advisory Health Council, (b) a Standing Health Committee, and (c) a Health Section of the Secretariat of the League.

The Committee of the "Office international d'Hygiène publique" would act as the General Advisory Health Council. It would remain autonomous and retain its seat in Paris without modification in its constitution or functions.

The Standing Health Committee would consist of the President of the Committee of the "Office international" and fifteen other members (public health experts or officers). Nine of these members would be appointed individually for three years by the Committee of the "Office international" in such a way that each State which is a permanent Member of the Council of the League would be represented on the Standing Health Committee. The remaining six members would be appointed, also for a period of three years, by the Council of the League after consultation with the Standing Health Committee.

This Committee may be supplemented by the addition of not more than four public health assessors or experts, these assessors to be appointed by the Council of the League on the nomination of the Standing Health Committee and to be considered as fully effective members.

The General Advisory Health Council would consider, discuss, advise or report on any question submitted by the Standing Health Committee of the League. The Standing Health Committee would direct the health work of the League, and, in particular, through a Medical Director, the technical work of the Health Section of the Secretariat. It would consider and report to the Council on any public health matter concerning the League submitted to it or initiated by the Standing Health Committee itself.

The Health Section of the Secretariat of the League would form the secretariat of the Health Organisation of the League.

2. *Contribution from the Rockefeller Foundation.*

The Council, on July 7th, 1923, on receiving the report on the work of the Health Committee, passed the following resolution:

"The Council desires to thank the Rockefeller Foundation for the generous contribution which it has placed at the disposal of the Health Organisation of the League with a view to the unification of methods of compiling health statistics, and it authorises the Medical Director to enter into formal communication with the International Health Board of the Rockefeller Foundation and to determine, with the concurrence of the Chairman of the Health Committee, the outlines of the scheme by which the new contribution from the International Health Board may be most fruitfully utilised for the purpose already referred to."

3. *Enquiry in Far-Eastern Ports.*

The Japanese member of the Health Committee put forward proposals in 1922 regarding the despatch of a mission to enquire into the prevalence of the chief epidemic diseases in the various countries of the Far East, with special reference to ports (See Annex 5, page 251). Particular attention was to be paid to the methods of recording health statistics and of notifying cases of infectious diseases and deaths from infectious diseases in the countries concerned; to the part played by shipping in the spread of infection of the more important of these diseases from country to country; to the measures taken in the various ports to prevent the spread of infection, together with the possibility of making such measures more effective by international agreement; and to the anti-epidemic measures enforced in the countries of the Far East.

It was hoped that the results of the enquiry, in addition to giving valuable information regarding the epidemiology of certain diseases of international importance, notably plague, cholera and smallpox, would enable proposals to be put forward whereby uniformity of procedure with regard to health matters might be secured in the ports of the Far East. The fact that a revision of the International Sanitary Convention of Paris has been undertaken was a cogent reason for making the enquiry at the present time.

A further important question for study was the possibility of making information regarding the prevalence of infectious diseases in the ports of the Far East more readily accessible than it is at present to those specially interested in this question.

These proposals were considered and approved by the Health Committee and by the Council, and Dr. Norman White, Chief Commissioner of the Epidemic Commission of the League of Nations, was entrusted with the mission. He left Europe at the beginning of November 1922, and returned at the end of July 1923. He first visited Siam, where he represented the Health Organisation of the League of Nations at the first Far Eastern Conference of the League of Red Cross Societies. From Siam, the following ports, countries and towns were visited in the order named: Singapore; Java, Hong-Kong, Shanghai, Japan, Formosa, Korea, Southern Manchuria as far north as Harbin, Dairen, Newchwang, Peking, Shanghai, Manila, Tongking, Annam, Cochin-China and Cambodia (French Indo-China, arriving in Haiphong and departing from Saigon), Federated Malay States, Penang, Rangoon, Calcutta, Simla, Bombay, Ceylon.

Dr. Norman White, who is now engaged in writing his report, states that throughout this long tour, extending to nearly 40,000 miles, he received the utmost assistance from all the Governments and authorities concerned; that the health authorities in every country visited associated themselves wholeheartedly with the objects of the enquiry, which they facilitated in every possible way. Everywhere it was realised that questions regarding the prevention or eradication of epidemic diseases were matters of truly international concern, and there was a universal desire to co-operate with adjacent countries in measures taken to prevent the spread of infectious disease.

During the tour in Hong-Kong, Shanghai, Japan and the Philippine Islands, Dr. Smith, of the United States Public Health Service, accompanied Dr. White in an unofficial capacity and rendered valued assistance in the prosecution of the enquiry.

Owing to the extended nature of the tour, it was unavoidable that certain countries were visited at the most unfavourable time of the year, *e.g.*, India was not reached till the beginning of June. For similar reasons, the duration of the stay possible in certain countries was shorter than the importance and complexity of the subjects studied demanded. In spite of these facts, the generous help and assistance everywhere received from the authorities concerned enabled a fairly detailed inquiry to be carried out, and all the terms of reference have been comprehensively fulfilled.

A large mass of information has been collected regarding the evolution of epidemics of cholera, bubonic plague, pneumonic plague, smallpox and certain other diseases during recent years in the countries enumerated above; this promises to be a useful contribution to the epidemiology of the diseases in question. Further, facts regarding the health administration and the methods of recording health statistics in certain of the countries visited, and the relative value of the epidemiological data issued by the various health administrations, are likely to be of interest to health workers in many countries.

12.

SOCIAL QUESTIONS.

I. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS: WORK OF THE ADVISORY COMMITTEE.

The Council, considering the report on the work of the Advisory Committee on Traffic in Opium and other Dangerous Drugs, on July 7th, 1923 (see Annex 5, page 256) adopted the following resolution:

"The Council, having examined with interest the report of the Advisory Committee on Traffic in Opium and other Dangerous Drugs, and recognising the importance of the recommendations contained therein, instructs the Secretary-General immediately to communicate the report to all States Members of the League, expressing the hope that they give such consideration thereto as will enable their representatives at the forthcoming Assembly to take the action necessary to make these recommendations effective. The Council decides to communicate the minutes of the present meeting simultaneously to all States Members of the League."

The report of the Advisory Committee and the minutes of the Council relating to it were in accordance with this resolution, immediately forwarded to all the States Members of the League.

II. TRAFFIC IN WOMEN AND CHILDREN: APPOINTMENT OF EXPERTS WITH A VIEW TO AN ENQUIRY INTO THE TRAFFIC.

The Council, on April 19th, 1923, decided to appoint experts to undertake an enquiry into the traffic in women and children with the consent and collaboration of the Governments of the countries concerned (see Annex 5, page 266).

The Council, on July 7th, 1923, decided, subject to the requisite budgetary arrangements, to invite as experts the following persons:

- M. Abraham FLEXNER ;
- Princess Cristina Giustiniani BANDINI ;
- M. HENNEQUIN, Chairman of the French Association for the Suppression of the Traffic in Women ;
- M. Isidore MAUS, Chairman of the Belgian National Committee for the Defence against the Traffic in Women and Children ;
- M. Alfred DE MEURON, Chairman of the Swiss Committee for the Suppression of the Traffic in Women.

It was understood that, should the British, Japanese, and Uruguayan representatives on the Council desire to propose candidates, the Secretary-General was authorised to proceed to their appointment.

It was further understood that Mr. Flexner would be asked to preside over the meeting of experts, and that the experts would work in close collaboration with the Advisory Committee on the Traffic in Women and Children.

III. OBSCENE PUBLICATIONS.

Plans were completed during August 1923 for an International Conference on Obscene Publications to be held in Geneva immediately previous to the fourth Assembly (See Annex 5, page 266).

The Secretariat has distributed to the Members of the League, to the States which signed the Treaty of Versailles, and to the parties to the international agreement of 1910 all the relevant documents in particular, the replies received from the Governments to the questionnaire.

The Conference has been convened by the French Government to meet on August 31st.

13.

MEASURES TO HELP REFUGEES.

I. RUSSIAN REFUGEES.

The Council, on July 7th, 1923, considered a further report by Dr. Nansen, High Commissioner for Russian Refugees.

1. *Identity Certificates and Visas for Refugees.*

The High Commissioner was able to report good progress in regard to the arrangement for the issue of identity certificates for the Russian refugees in various countries. The following 31 Governments had either formally adhered to the arrangement or had adopted it in principle:

Albania	Great Britain	Norway
Australia	Greece	Poland
Austria	Guatemala	Portugal
Bolivia	Italy	Roumania
Bulgaria	Japan	Kingdom of the Serbs, Croats and Slovenes
Chili	Latvia	Siam
Czechoslovakia	Lithuania	South Africa
Denmark	Luxemburg	Spain
Finland	Mexico	Switzerland
France	Netherlands	
Germany	New Zealand	

Hungary had also notified unofficially her proposed adhesion. No definite reply had been received from China, but it was anticipated that that Government's adhesion would not long be delayed.

As a result of representations made by the High Commission, a verbal promise had been obtained from the Turkish Delegation at the Lausanne Conference to the effect that their Government would also adopt the identity certificate system in the interests of the Russian refugees remaining in Constantinople. This promise was lately confirmed to the representative of the High Commissioner in Constantinople.

For reasons of economy, the High Commissioner recently announced to the Austrian Government that he felt obliged to close his delegation in that country, but, in view of urgent representations made by the Austrian Government to the effect that such a measure would involve its denunciation of the identity certificate system, a step which might react very unfavourably on

the situation of the Russian refugees in Austria, the High Commissioner consented to retain his delegation in Austria until the end of the present year.

2. *Situation of Russian Refugee Children in Various Countries.*

A special effort had been made by the High Commissioner on behalf of the Russian refugee children in Constantinople. The High Commissioner helped to transfer the Bebek Orphanage and the St. George Institute to Belgium, and a grant was made to the former orphanage to enable it to become established in that country. Numbers of children were sent to France, where arrangements for their welfare were undertaken by the Placement Familial and other responsible French organisations. In addition, some hundreds of children transferred from Constantinople to Bulgaria were maintained and educated from funds made available by the Bulgarian Government and the High Commissioner. These funds, however, were exhausted, and it was only due to a further generous contribution by the Bulgarian Government that the maintenance of schools for these children could be assured for some months to come.

3. *Situation of Russian Refugee Invalids in Various Countries.*

The High Commissioner had arranged for the transfer of upwards of 800 invalids from Constantinople and Egypt to Bulgaria, where grants were made to the local Russian Red Cross for their maintenance. Furthermore, 697 invalids under the care of General Baratoff were evacuated to the Kingdom of the Serbs, Croats and Slovenes. Provision was made for their travelling expenses, and General Baratoff received an establishment grant of £2 per invalid. A similar arrangement was made for the transfer of the Kanlidja Sanatorium to the Kingdom of the Serbs, Croats and Slovenes on an establishment grant.

4. *Situation of Russian Refugees in the Far East.*

The High Commissioner's assistance had been asked for 22,000 Russian refugees who had fled from Vladivostock and established themselves on the coasts of China, Korea and Japan. Dr. Nansen intervened on their behalf with the Chinese and Japanese Governments, from whom he received assurances that everything possible would be done by official and private bodies to improve the situation of these unfortunate people. Both Governments had decided, however, that these refugees could not continue to remain indefinitely in their respective territories. The Japanese Government intimated that it would be obliged to terminate that situation either with the assistance of neighbouring countries or of the League of Nations. As many of the refugees in China had recently been engaged in military activities against the Soviet Government, Dr. Nansen expressed the hope that the Chinese Government would not insist upon their repatriation except against approved guarantees for their protection.

5. *Constantinople.*

The changed political situation in Constantinople towards the end of last year, involving the imminent departure of the Allies, made it necessary to give urgent assistance for the evacuation of some thousands of refugees who up to that time had been self-supporting.

Briefly the High Commission had helped to secure the evacuation of over 20,000 refugees at a cost of £50,000. Of this sum £26,700 was provided by Members of the League and the American Red Cross, leaving £23,300 to be provided by the High Commission from private funds.

The co-operation of the great American relief organisations was still an important feature of the work of the Constantinople office. The High Commission's Refugee Co-ordination Committee continued to act as intermediary for the discussion and solution of the various refugee evacuation problems. As evidence of the value of this co-operation, the evacuation of about 600 refugees to America may be cited. This evacuation was a result of the united efforts of the High Commission, the American Red Cross and the American Relief Administration.

The excellent reports received from these evacuated refugees encouraged the High Commission to send a further 1,200 refugees to America towards the end of July. Dr. Nansen wished in this connection to record his deep gratitude to the Russian Refugee Relief Society of America for its devotion to the cause of the refugees after their arrival in the United States.

As a result of the combined efforts of the High Commission and the above-mentioned American organisations, the Canadian Government also agreed to take 1,000 refugees from Constantinople.

The sustained efforts of the Constantinople office of the High Commission on behalf of the Russian refugees have won the appreciation of the American, Allied and Turkish authorities in Constantinople, who have all addressed highly appreciative letters on the subject to the High Commissioner.

The High Commission's office was closely in touch with the Turkish authorities, and it successfully obtained special facilities in the interests of the refugees, such as exemption from taxation and visa fees, etc.

Dr. Nansen pointed out in his report that the foregoing results were achieved during a period of crisis between the Turkish and Allied authorities in Constantinople. In spite of the difficulties which arose in the changes of passport control and interior administration, the High Commission were able to obtain special facilities for the evacuation of Russian refugees from both Turks and Allies alike.

6. *Greece.*

The efforts of the Athens office of the High Commission has resulted in the steady evacuation of the Russian refugees from Greece, their number having diminished since July 1922 by 30 %.

7. *Situation of Russian Refugees in Roumania.*

Dr. Nansen's attention was called in the spring to the intention of the Roumanian Government to expel about 10,000 refugees from Bessarabia to Russia for military reasons. As many of these refugees had lost their Russian nationality and could only enter Russia at great personal risk, the High Commissioner invited the Roumanian Government to consider whether it could not possibly refrain from carrying out the proposed mass expulsion. The Roumanian Government acceded to this request and consented to allow the majority of the refugees to remain in Bessarabia provided interested organisations made arrangements for their satisfactory evacuation elsewhere.

8. *The Situation of Russian Refugees in Poland.*

A similar situation had arisen in Poland, where a large number of refugees had entered Polish territory since October 1920 in an illegal manner. As these refugees were alleged to have left Russia not on political grounds but for economic reasons, the Polish Government felt constrained to take measures to remedy the situation, and it issued a decree providing for their expulsion by April 15th of this year. The position of these refugees was particularly painful, as the majority of them had not registered with the Soviet Legation in Warsaw as Russian subjects and had thus lost their Russian nationality.

In response to urgent appeals addressed to the Polish Government by the High Commissioner, the Polish Government generously agreed to interpret the decree as leniently as possible and in certain cases to postpone the date of departure until September 1st. Energetic measures were taken to secure the early evacuation elsewhere of the refugees concerned.

9. *Repatriation.*

Some 4,000 refugees from Bulgaria, who had expressed the desire to return to their own country, have been repatriated under the auspices of the High Commissioner in close co-operation with the Bulgarian Government, which made a *per capita* contribution towards the work. In conformity with the arrangements made by the High Commissioner with the Soviet Government, his delegates in Russia were allowed to interest themselves in the welfare of these refugees after their arrival, and reports on this subject indicate that the undertakings in this respect given by the Soviet Government have been loyally observed.

In response to requests for repatriation received from Russian refugees in other countries, Dr. Nansen recently opened negotiations with the Soviet Government with a view to securing the extension to other territories of the arrangement in force in the Balkan countries. The Soviet Government has informed Dr. Nansen that in principle it was prepared to accede to this request.

10. *Advisory Committee of Private Organisations.*

A meeting of the Advisory Committee of Private Organisations was held at Geneva on April 20th of this year, when numerous important questions concerning the welfare of the refugees were discussed and several resolutions adopted, of which the principal were to the following effect:

- (1) Special efforts should be made in the matter of relief to the infirm, children and sick.
- (2) The High Commissioner was invited to appoint special delegates in the Far East.
- (3) The High Commissioner was requested to submit a general report on the economic and social reconstruction of Russia.
- (4) The High Commissioner was requested to enter into negotiations with the Russian and Ukrainian authorities with a view to obtaining the largest possible measure of protection and relief for refugees who desired to be repatriated from Poland and Roumania.
- (5) The hope was expressed that the High Commissioner would not abandon the problem of evacuating the refugees from Constantinople but would continue to devote his energies to a solution of the problem until such time as all persons who could not remain in Constantinople under the new regime had been evacuated.
- (6) The Advisory Committee considered that the work of the High Commission and of the Advisory Committee should continue.

II. REFUGEES FROM ASIA MINOR.

The Council, on April 23rd, requested the High Commissioner to prepare a scheme for the settlement and establishment of refugees from Asia Minor and Eastern Thrace in the event of the loan to the Greek Government proving to be practicable for this purpose (see Annex 5, page 273). Dr. Nansen accordingly asked Colonel Procter, Deputy High Commissioner, to go

to Greece and obtain the necessary material on the spot. The report prepared by Colonel Procter was presented in July to the Sub-Committee of the Council appointed under the resolution of April 23rd.

Dr. Nansen, in presenting this report to the Sub-Committee of the Council, paid a tribute to the valuable work accomplished on behalf of the refugees by the American relief organisations, which, during the last nine months, had fed some 800,000 refugees practically unaided. He also referred to the valuable assistance afforded to the High Commissioner by the official observer of the United States Government.

Dr. Nansen pointed out that the American organisations only contemplated emergency relief measures until arrangements could be made for a constructive solution of the refugee problem. The American Government had intimated, however, that the American agencies would be ready to co-operate still further if a constructive scheme could be arranged.

It was understood that not only would an American representative be willing to serve on the Refugee Settlement Commission to be set up under the scheme described in the Report of Colonel Procter but that support might be expected towards its maintenance.

Dr. Nansen drew particular attention to the fact that the Financial Committee, in its Report to the Council (see the section of this report on the Greek loan), had laid emphasis on the necessity of encouraging voluntary organisations not to abandon their efforts on behalf of the refugees, but to consider their activities as complementary to any constructive work undertaken by the League. The relief organisations were not, however, disposed to exert themselves further unless the League was prepared to carry out a constructive policy.

Dr. Nansen read to the Council extracts from letters to that effect which the High Commission had recently received from the Near East Relief, from the All-British Appeal" and from the Save-the-Children Fund.

He particularly emphasised the importance of the assistance which these organisations had afforded to the Greek refugees in Constantinople. The position of these refugees in January and February 1923 had been disastrous, and the death rate in the camps had averaged 500 per week. The All-British Appeal and the Save-the-Children Fund had placed the sum of £1,000 at the disposal of the High Commission and had made valuable gifts of tents and clothing. Epidemics had been stamped out and mortality reduced to normal. These organisations, however, had intimated that they could not continue their emergency feeding of the refugees indefinitely and would only entertain further responsibility if arrangements were made for the early absorption of the refugees into the economic life of Greece.

In conjunction with the Near East Relief and the All-British Appeal, the High Commission has since succeeded in making an arrangement with the Greek Government for the immediate transfer of the remaining 16,000 of these refugees to Greece. This solution has met with the hearty approval of the Allied and Turkish authorities, the situation of these refugees having caused the former the greatest possible concern.

The Sub-Committee of the Council adopted the suggestion contained in Colonel Procter's report and decided to recommend the establishment of a Refugee Settlement Commission which would be charged with the responsibility of administering any funds obtained by means of the proposed loan, with the modification that the League should nominate only one member of the Commission instead of two as proposed by Colonel Procter (see section of this report on the Greek loan: Economic and Financial Organisation).

The Council approved the report of the Sub-Committee on July 5th and adopted the following resolutions:

"The Council of the League of Nations has requested its experts to examine the problem of the Greek loan for the refugees and to study a scheme for the settlement of these refugees.

"The securities offered by the Greek Government appear to be suitable as a basis for the negotiation of a loan, the proceeds of which would be devoted to settling the refugees and ensuring them productive employment. The International Financial Commission, which has been in existence since 1898, might help in the control of these securities.

"If the Greek Government succeeds in arranging a loan for the purpose, the Council will be willing, after having verified the conditions of the loan, to assist in organising the administration of the funds produced by the loan, in order to give the lenders assurance that the funds will be employed in accordance with the scheme."

The Council further appointed a small Committee composed as follows: Dr. Nansen, High Commissioner for Refugees; one representative of the American relief organisations; one representative of the Greek Government.

The duty of this Committee was to consider what measures the Greek Government might take for the temporary relief of the refugees until funds became available for this purpose from the yield of the proposed loan.

The Sub-Committee of the Council drew particular attention to the fact that the refugee problem could only be solved satisfactorily by means of the continued co-operation of the American and other relief organisations, both in the interval during which the loan was being negotiated and afterwards for the relief of distress among such refugees as could not be absorbed into the economic life of the country.

Bearing in mind the intimation received from the American Government that further support from the American relief bodies would depend largely on the measure of support afforded

by other agencies, Dr. Nansen made immediate representations to the Greek Government and to certain European relief organisations.

An immediate reply was received from the Greek Government promising to make available ten million drachmæ per month for the feeding of the refugees. The Near East Relief promised to continue the feeding of at least 60,000 refugee orphans in Greece and elsewhere and to co-operate in further feeding to the extent of its resources. The All-British Appeal and the Save-the-Children Fund promised to guarantee the feeding of 50,000 refugees and to commence a campaign in Great Britain and the Dominions in order to secure funds to enable it to extend its activities. Scandinavian organisations also promised substantial support.

The Near East Relief and the All-British Appeal and the Save-the-Children Fund also guaranteed the feeding for a certain time of the 16,000 Anatolian refugees from Constantinople after their arrival in Greece. This enabled the Greek Government to receive these refugees. A large number of the refugees in the Western Thrace settlement were now able to support themselves, and the High Commissioner, in response to the request of the Greek Government and the American and British organisations, agreed to absorb into this settlement at least 4,000 of the Anatolian refugees, the Save-the-Children Fund undertaking to feed them for a certain time.

The American Government intimated that it could not nominate a member of an American Relief Organisation on the Emergency Relief Commission appointed by the Council, as it considered that the Greek Government was in a position, in view of the food stocks handed over to it by the American Red Cross, the good crops in Greece and the improved exchange, to meet the refugee situation until November. The American Government further intimated that the American Red Cross might be unwilling to nominate the Chairman of the proposed Refugee Settlement Commission, as it feared that such a participation might involve it in further responsibility in the event of insufficient funds being provided from other sources for the permanent solution of the refugee problem. The final decision on this point, however, was understood to be contingent very largely on the amount of support obtained from European sources.

Dr. Nansen addressed a letter on this subject to Colonel Logan, the American observer on the Greek Sub-Committee, inviting him to draw the attention of his Government to the following considerations:

The Greek Government did not entirely share the view of the American Relief Organisation, that it was in a position to meet the refugee problem until the beginning of November, but feared that the Refugee Relief Commission would have to take the matter in hand as from the beginning of September.

The American Government, in a letter addressed to the British, French, Greek and Italian Governments on March 31st and subsequently communicated by the American observer to the Finance Committee of the League, stated that, although the American Red Cross would be obliged to discontinue its relief efforts on June 30th:

“If a constructive plan can be worked out for the apportionment of the task and for the gradual solution of the refugee problem, American Relief Organisations will be ready to co-operate even after the termination of the emergency relief work of the American Red Cross on June 30th next.”

Dr. Nansen pointed out that a constructive plan in conformity with the above suggestion had been worked out, and that substantial contributions to meet the immediate situation had been made by the Greek Government and by other European agencies as already mentioned. It was feared that the contributions of ten million drachmæ per month by the Greek Government could not be increased without resorting to measures which would inevitably produce an unfavourable effect on the all-important question of the flotation of the loan.

Finally, the information regarding the prospects of the loan was of such an encouraging nature that Dr. Nansen made a confident appeal to the American Government to invite the American Relief Organisations not to discontinue their valuable co-operation at a moment when the solution of the refugee problem was in sight.

III. BULGARIAN INHABITANTS EXPELLED FROM WESTERN THRACE.

The Council, on April 21st, passed a resolution requesting Dr. Nansen, as High Commissioner for Refugees, to do all in his power to improve the condition of the persons expelled from Western Thrace.

In conformity with this resolution, Dr. Nansen invited Colonel Procter, Deputy High Commissioner, who had gone to Greece to study the plan for the permanent establishment of the Greek refugees, to enquire into the situation of the Bulgarian inhabitants expelled from Western Thrace and to consider what effect could be given to the Council resolution.

It appeared that the Greek Government had thought it necessary for military reasons to deport temporarily about 4,000 of the Bulgarian inhabitants from Western Thrace to the interior of Greece, but the Deputy High Commissioner was informed that these persons would be returned to their homes as soon as improved local conditions in Western Thrace rendered such a measure possible.

It was ascertained that a certain amount of hardship had been experienced by these deportees as the result of an order sent out by the Greek Government to discontinue relief to Greek refugees,

which had been interpreted by the local authorities as applying also to the Bulgarian deportees. On the intervention of the Deputy High Commissioner, however, the Greek Government immediately gave instructions not only for an allowance of 2 drachmæ per day to be made to the Bulgarian inhabitants but in addition a bread ration of about one-third kilo daily, the payment of 2 drachmæ, per day to be made operative as from the time of their expulsion. These allowances were similar to the allowances made by the Greek Government to the Greek refugees.

Bulgarian Deportees in Thessaly.

The main body of Bulgarian deportees arrived at Volo in three separate convoys of 950 on March 25th, 1,000 on the 27th and 1,000 on March 30th, followed by smaller groups of two or three families. They were dispersed throughout Thessaly in 49 villages which lie on either side of the railway-line running from Larissa and from Velestino to Demerli.

For the reasons mentioned above, no distribution of flour took place before April 5th, and a certain amount of hardship resulted. Subsequently special distributions of flour were arranged on April 28th and May 22nd.

Some of the deportees were housed in tenements similar to those of the inhabitants of the villages in which they were distributed, but the majority of the people, through lack of other accommodation, had been installed in barns, stables, and empty flour-mills and in any other vacant accommodation which could be requisitioned.

Blankets had been issued to them, and the general conditions appeared to be clean and sanitary. There was fortunately very little sickness among the deportees, and medical attendance was provided free of charge.

It should be pointed out that the deportees had been distributed in the richest agricultural areas in Thessaly, and many of them were able to earn from 5 to 12 drachmæ per day by means of agricultural labour.

Families were kept together as much as possible, and on the whole it was reported that the situation of the Bulgarian deportees was at least as good as, and in certain respects better than, that of the Greek refugees in the same region.

Deportees on the Greek Islands.

About 1,300 of these deportees had been sent to Crete and about 660 to the Island of Rethymos. These refugees were given an allowance of 2 drachmæ per day and received a bread issue of 300 grammes from the military authorities. Those on the island of Crete were satisfactorily accommodated, but the deportees on the island of Rethymos were only lodged in the citadel. It was not, however, thought necessary to transfer them to the empty barracks in the neighbourhood as it was the intention of the Greek Government to return them to their homes at the earliest possible moment.

Information has been received that this operation has already begun.

The repatriation of the Bulgarian inhabitants expelled from Western Thrace has already been begun by the Greek Government.

DEPORTED WOMEN AND CHILDREN IN THE NEAR EAST.

Constantinople.

Dr. Kennedy, Chairman of the Commission of Enquiry on Deported Women and Children, forwarded from Constantinople on July 21st, 1923, a further report on the work of this Commission (for previous history, see Annex 5, page 266).

The events of the last few years in the Near East have led to the separation from their families of many women and children, and, in the consequent confusion, no records or information are available which might facilitate their early return to a normal life among their own people.

The Commission at Constantinople is dealing without distinction of race or religion particularly with the problem of the children, of whom there are many thousands scattered throughout the Near East.

The children are received into the house established at Constantinople for this purpose under the direction of Dr. Kennedy. From this house the children are passed to other institutions or to their own people. During their stay in the house they are fed and clothed.

Many children have been assisted in various ways without being received into the house, either by direct help or by calling the attention of the relief societies to their condition. Children have been assisted to return to their relatives, to obtain medical and hospital treatment, to attend school

or to emigrate. The Commission is in touch with the various national, official and relief agencies, whose attention has been drawn to many thousands of children in the city and in the various camps.

During the first six months of the present year, seventy-eight children were received in the League of Nations house, the largest number at one time being thirty, and the usual average about 25.

Some 400 women have been assisted by the Commission to rejoin their relatives or to emigrate. In such cases the Commission has helped them to obtain the necessary papers.

Aleppo.

The work of the Commission of Enquiry at Aleppo is proceeding on the same lines as at Constantinople. At Aleppo, however, there are fewer philanthropic societies to co-operate with the Commission.

The League of Nations Home at Aleppo has received about 300 women and children and provided for nearly 200 of them either by bringing them into touch with their relatives or by teaching them various trades. If at the end of six months no other home has been found for the women and children, they are transferred to a camp where they are under supervision and where an endeavour is made to find a place for them among their own people.

The Danish and Swedish Friends of Armenia have provided funds for schools and for the teaching of trades, and are preparing to start an orphanage. These institutions are intended to provide for the children who, after staying for six months at the League of Nations Home, cannot be placed with their relatives. The Commission proposes that, when peace is restored in the Near East an agricultural colony should be founded in connection with this work.

This plan has been favourably considered by the Christian International Society for Peace and Reconciliation.

Early in the year the reception house in Aleppo was burnt down, and a large barrack has since been constructed by the Armenian Red Cross which accommodates at least 200 persons. This arrangement saves the cost of rent and provides the people with more suitable accommodation.

The Commission reports that it has not been possible to obtain from the United States any special permission for the immigration of the women and children. It represents that such permission would be extremely helpful, as many of these people have relatives who entered the United States in the period immediately succeeding the armistice.

15.

INTERNATIONAL BUREAUX.

THE INTERNATIONAL COMMITTEE ON AGRICULTURE.

The question whether the International Committee on Agriculture should be placed under the direction of the League was referred to the Economic Committee by the Council in January 1923 (see Annex 5, page 274).

The Economic Committee, while attaching great value to the collaboration of non-official organisations in the investigation of special problems, came to the conclusion that the placing of these organisations under the direction of the League might give rise to serious difficulties.

It accordingly expressed the view that Article 24 of the Covenant should be applied in the strict and literal sense, and that only international organisations established by general treaties should be admitted.

The Council endorsed this opinion in a resolution adopted on July 2nd, 1923, but it was decided to include in the minutes a reservation of the British representative concerning the general proposition that only organisations created by means of international conventions should be affiliated. It was felt desirable not to establish definitely a hard and fast rule but to make it possible that special cases might be open to consideration and that a door should be left open for further discussion of the general principles if it should be convenient to take up the question at a later date.

THE COMMITTEE ON INTELLECTUAL CO-OPERATION.

The Committee on Intellectual Co-operation held its second plenary session at Geneva from July 26th to August 2nd, 1923. This session was preceded by meetings, each lasting a day, of the three Sub-Committees. The following details should be added to the General Report on the Work of the Council (see Annex 5, page 275) concerning the results of the work accomplished.

Composition of the Committee.

The Committee decided to appoint three correspondents, one in Latin America, one in Canada and one among Russian emigrant intellectuals.

Position with regard to Intellectual Work.

The Committee heard reports from its experts in charge of the enquiry and decided to publish as soon as possible the memoranda submitted to it, amounting to some 30 in number. These memoranda contain the results of the enquiry into the position with regard to intellectual work undertaken by the Committee. The Committee decided to continue this enquiry, recognising the great interest which it had aroused in the majority of countries and the extremely interesting facts contained in the preliminary reports. It noted, in particular, as a result of the enquiries already made, the very valuable information which had been obtained in regard to the assistance required by countries where intellectual life was especially endangered. (See below.)

Work of the Sub-Committees.

The resolutions of the three Sub-Committees were approved by the plenary Committee.

As regards bibliography, the Committee considered as particularly urgent the preparation of technical conferences for the co-ordination of analytical bibliography (abstracts). It was of opinion that preliminary experiments in this field might be made for physics, classical philology and the social sciences. It instructed the Sub-Committee on Bibliography to study means for using and developing the alphabetical index of the International Institute of Bibliography. It also instructed the Sub-Committee to collect as rapidly as possible the materials necessary for the publication of the *Index Bibliographicus*.

Among the recommendations of the Sub-Committee on Inter-University Relations, the plenary Committee attached the greatest importance to the scheme for creating an international bureau of university information. It approved a scheme for the regulation of this bureau, the creation of which it regarded as indispensable for the development of inter-university relations and in general for the continuation of its work.

The Committee noted the report of M. Ruffini on the protection of scientific property which it had received from the Sub-Committee on Intellectual Property. This report concluded with a draft international convention under which an international union for the protection of scientific property would be instituted. This union would find a place between the two unions existing at the moment for the protection of artistic and literary property and for the protection of industrial property, and, like these existing unions, would have as administrative organ the offices at Berne. The Committee noted the exceptional importance of this scheme and decided to recommend it urgently to the notice of the Council and of the Assembly of the League.

Conventions relating to the International Exchange of Publications.

The plenary Committee, taking into account the investigations conducted by the Sub-Committee on Bibliography, considered that a technical conference of the directors of the national exchange bureaux should be convened as soon as possible by the League of Nations in order to prepare a revision of the Conventions of 1886.

The Committee noted the ratification of these Conventions by the Hungarian Government and by the Government of San Domingo.

Assistance for Countries where Intellectual Life is especially endangered.

The Committee very carefully studied this problem and approved the formation, already carried out in certain countries with depreciated currencies, of National Committees on Intellectual Co-operation. It decided to recommend the extension of this system to countries whose position was more favourable and to invite to its next session a delegate from each of the National Committees in order to frame a systematic plan of mutual intellectual help and exchanges.

The Committee begged the Council to facilitate this part of its activity by inviting the Governments of the Members of the League of Nations to give their moral and financial support to the National Committees of Intellectual Co-operation and by authorising the International Committee to receive funds destined for these Committees.

The Committee also studied means for coming to the assistance of emigrant Russian intellectuals.

Various Questions.

The Committee approved the report by M. Ruffini on intellectual collaboration in archaeological researches and decided to forward the draft Convention regulating Archæological Activities

in Mandated Countries, elaborated in 1922 by the International Academic Union, to the Permanent Mandates Commission, provided the Council should authorise it to do so.

The Committee also examined the questions which had been referred to it for investigation by the third Assembly, particularly the problem of an international language. It did not feel able to recommend the League of Nations to adopt an artificial language for international use, considering that its efforts should tend above all to encourage the study of living languages and of modern literatures as the most powerful means of bringing the various nations intellectually together.

17.

THE WORK OF THE LATIN-AMERICAN BUREAU OF THE SECRETARIAT.

The Latin-American Bureau of the Secretariat was established by a decision of the third Assembly in order to facilitate and strengthen relations between the Secretariat of the League and the Latin-American countries¹. It was decided that the names of two nationals of Latin-American countries, one from Venezuela and one from Panama, should be proposed to the Secretary-General by their respective Governments as members of the office. In accordance with this decision, M. Manuel Arocha (Venezuela) and M. Cristobal Rodriguez (Panama) were duly appointed for a period of two years. They are assisted in their duties by M. Julian Nogueira, a Latin-American member of the Information Section.

The Bureau started work in January 1923 under regulations approved by the Secretary-General. The Secretary-General has made a practice of consulting the Bureau on any questions of interest to the Latin-American countries, and in all such matters the various sections of the Secretariat invited its co-operation and aid.

It has, for example, by means of personal communications, assisted the Secretariat in keeping these Governments informed of the progress of such questions as unfair competition, the traffic in opium, amendments to the Covenant, disarmament, and the Treaty of Mutual Guarantee. It has given particular attention to the work of the Technical Organisations of the League, obtaining by similar methods information concerning epidemiological conditions in Latin-America, facilitating the association of Latin-American doctors in the interchange of public health officers to be held in the United States in the autumn of 1923, and helping the co-operation of the Latin-American Governments in the International Customs Conference to be held in Geneva in October next and in the work of the Organisation for Communications and Transit.

The Bureau has aided the Information Section of the Secretariat to keep in touch with events and with public opinion in the Latin-American countries and to spread information in these countries on the work of the representatives of Latin-America on the Council and on the various Committees of the League. Communications relating to these activities have been published in most of the leading South American newspapers.

The Bureau has also placed itself at the disposal of the Latin-American diplomatists accredited in Europe and the United States for the purpose of supplying information regarding the work of the League, and it has, with the same end in view, entered into correspondence with the universities, chambers of commerce, academies and similar institutions in Latin America.

It has further arranged for a Spanish edition of the *Monthly Summary* of the Information Section of the Secretariat to be specially prepared, in order to emphasise matters of particular interest to the Latin-American countries.

The work of the Bureau has been of great value to the Secretariat, and the Secretary-General has had every reason to believe that it has also been appreciated by the Governments of the Latin-American States.

¹ The recommendation made by the Fourth Committee and adopted by the Assembly on this subject was as follows: "Upon the proposal of all delegations of the Central and South American countries, the Committee recommends that the Liaison Office with Central and South America should be established at Geneva and not in America. The adoption of a roster would enable the Republics in Central and South America to be represented by officials of each nation in turn."

ANNEX 6. \

TRAFFIC IN WOMEN AND CHILDREN.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. SOKAL, Delegate of Poland.

The Fifth Committee had before it the report of the Council and that of the Advisory Committee on the Traffic in Women and Children made after its second session in March last, and expressed its appreciation of the record of steady progress contained in this latter report. The appointment of a representative of the United States of America on the Advisory Committee was noted with much satisfaction.

The Committee, while considering in detail the resolutions passed by the Advisory Committee, and in the light of the work of the Council of the League in this connection noted with satisfaction that the resolutions of the Advisory Committee were approved by the Council in all essential points. The Committee desires to offer some observations on the following matters:

1. The Committee observes with regret that, at the date of the meeting of the fourth Assembly, only the following fourteen States had ratified the Convention of 1921: Australia, Austria, Belgium, British Empire, Canada, Cuba, Greece, India, New Zealand, Norway, Portugal, Roumania, Siam and South Africa. Three States, viz., Denmark, Finland and Panama, had adhered to the Convention. In view of the fact that the Fifth Committee was able to report last year that thirty-three States had signed the Convention, the slow progress in the deposit of ratifications is not satisfactory. From some of the statements made by delegates, it appears that in some cases the delay has been caused by the necessity of amending internal legislation in order to comply with the provisions of the Convention and that there is a likelihood of further ratifications being deposited at an early date. It is to be hoped that the Fifth Committee will be able to report a great improvement in this direction next year, as the time that has elapsed since the Convention was signed ought to have enabled all the signatory States to take the necessary action. The Fifth Committee thinks that the attention of States should again be called to the matter and passed a resolution to that effect.

2. The Fifth Committee was very interested to read that part of the report of the Advisory Committee which deals with the presence of foreign prostitutes in licensed houses — a question which was specially referred to them on the recommendation of the Fifth Committee last year. The Committee is glad to note that the proposal of the Polish Delegate “that pending the abolition of State regulation, no foreign woman shall be employed in or carry on her profession as a prostitute in any licensed houses”, was adopted by the Advisory Committee by a majority, and observes that the Council, in view of the differences of opinion manifested on this subject, has decided to communicate to Members of the League the report of the Advisory Committee on the question, together with an extract from the Minutes of its proceedings relative to the examination of the Sokal proposal and an extract from the Minutes of the proceedings of the Council relating to the same subject.

3. Arising out of the question referred to in the preceding paragraph, the Advisory Committee considered the connection which may exist between the traffic in women and the system of State or official regulation, and proposed that a questionnaire should be issued to States asking for a statement of their experience. The Fifth Committee agrees that information of this kind may prove to be of the greatest value, and it is glad to know that the Council has already taken steps to issue this questionnaire in a slightly modified form.

4. On the subject of the employment of women police in dealing with prostitution, which is the subject of Resolution 8 in the Advisory Committee's report, several delegates urged the importance of this question. In their opinion the services of police-women are essential not only in dealing with prostitutes, whether in licensed houses or elsewhere, but especially in patrolling streets and open spaces so as to prevent the molestation of women and children and to give help to those who need advice or assistance. These delegates emphasised the value of the preventive side of women's work in this direction. The Fifth Committee notes that the Council decided to forward the recommendation of the Advisory Committee to all the Governments for their information.

5. Great satisfaction was expressed by members of the Fifth Committee on the adoption by the Council of the recommendation of the Advisory Committee that a small body of experts

should be appointed to undertake a special study in order to obtain the fullest information concerning the conditions under which the traffic in women is carried out. It is understood that the funds necessary to defray the cost of the enquiry will be forthcoming from private sources in America. Such an investigation is likely to be of the greatest value in indicating whether the measures now being taken are sufficient or whether further action is required. It is apparent that the success of the enquiry must depend on the goodwill and collaboration of the countries where it may be thought necessary to make enquiries, and the Fifth Committee earnestly hopes that the experts will receive the fullest assistance in this respect. A resolution was passed voicing its views on this point.

In the course of the discussion on the Advisory Committee's report, two other matters were raised.

The delegate for Roumania referred to allegations which are often made as to the circumstances under which women are recruited for employment in licensed houses and to the need for investigation. The Fifth Committee considers that any enquiries in this direction should be made by the Governments of States when the system of licensed houses is in operation and decided to pass a resolution recommending that the Advisory Committee should be asked to examine the question.

The British delegate drew the attention of the Fifth Committee to the fact that the International Conventions on the Traffic in Women are not yet applied to all territories administered under mandate. It appears that the Permanent Commission on Mandates has already had this question under consideration, and it was decided to recommend that this Commission should be invited to give the matter further consideration.

In expressing appreciation of the work done by the Advisory Committee and the Council, the Fifth Committee wishes to point out that the League can only offer counsel as to the best means of dealing with the problems which arise. The responsibility for executive measures, that is to say, the actual police work, rests with individual Governments and calls for constant watchfulness. Some of the worst evils of the traffic have been suppressed by international co-operation and a revival of them can only be prevented by continued activity. There is apparently a public impression that the traffic in women consists only in the recruiting of innocent women and girls for immoral purposes abroad, but it is equally important to ensure that women do not drift into a life of immorality by want of proper supervision over the conditions of their employment in foreign countries, whether in theatrical or other occupations, and also to prevent the exploitation of women who have entered upon a life of prostitution at the hands of the abandoned persons who prey upon them.

The following resolutions are submitted by the Fifth Committee for adoption by the Assembly :—

1. "The Fifth Committee proposes that the Assembly should adopt as its own the resolutions and measures taken by the Council in regard to the report of the Advisory Committee on the Traffic in Women and Children, and expresses its great appreciation of the work accomplished by the Advisory Committee and by the Council."

2. "The attention of the Fifth Committee having been called to circumstances in which women are alleged to enter licensed houses, it recommends that the Advisory Committee on the Traffic in Women and Children should be asked to consider whether it would not be desirable to draw the attention of all States in which a system of State regulation is still in force to this question, and to invite these States to make an enquiry and to take special precautions to ensure the protection and secure the full liberty of women inmate of licensed houses."

3. "The Fifth Committee wishes to endorse the recommendation of the Advisory Committee as to the employment of women police among the police engaged in dealing with prostitution."

4. "The Fifth Committee wishes to draw the attention of the Assembly to the remarks of the Advisory Committee on the subject of the signature and ratification of the Convention of 1921 ; to express its regret that so few States have as yet ratified the Convention ; and to recommend that those States which have not adhered to or ratified the Convention shall be invited to be good enough to inform the League as to the circumstances which have prevented their doing so."

5. "The Fifth Committee attaches great importance to the proposed expert enquiry already referred to and wishes to express an earnest hope that the Governments concerned will give the fullest facilities to the experts in any investigation which they may think it necessary to undertake on the spot."

6. "The Fifth Committee understands that the provisions of the international Convention on the subject of the traffic in women and children are not at present applied to certain mandated territories administered by the League. It recommends that the Permanent Mandates Commission should be asked to give further consideration to this question."

ANNEX 7.

THE WORK OF THE HEALTH ORGANISATION OF THE LEAGUE,
INCLUDING THE WORK OF THE EPIDEMIC COMMISSION.

REPORT SUBMITTED BY THE SECOND COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. ADATCI, Delegate of Japan.

Mr. President, Ladies and Gentlemen,

On behalf of the Second Committee, I have the honour to submit to the Assembly the following report on the work of the Health Organisation during the past year, together with the draft re-organisation proposed by the Mixed Committee of the Health Committee and the "Office international d'hygiène publique".

I.

Of the activities of the Health Organisation, the third Assembly took particular note (paragraph (g), first resolution) of the steps taken by the Health Organisation with regard to an interchange of the sanitary personnel of various countries, and expressed the wish to see this system made applicable to as large a number of countries as possible.

The Second Committee does not desire to dwell on the general interest of the idea of an interchange of sanitary personnel. In the Committee's opinion, it is an idea full of promise. It tends not only to propagate in the different countries the knowledge and use of the best methods of public health and disease-prevention, but also to give the personnel of health services the feeling that all are taking part, each in his own country, in a common work, the object of which is to improve the lot of humanity as a whole, and, finally, to establish direct personal relations between the sanitary administrations of the various countries. I wish in a few words to call your attention to the development of the interchange of personnel system in the course of the present year, and to point out how it has evolved in the light of the experience which has gradually been gained.

Three interchanges of medical officers of health, known as collective interchanges, were organised. The first, which lasted two months, from October to December, 1922, was organised in Belgium and Italy. Twenty-three medical officers, representing nine different countries, took part in it. The second was organised in England and lasted seven weeks, followed by five weeks' study in Austria. Some thirty medical officers, belonging to seventeen different countries, took part in this second experiment, which, like the first, ended at Geneva with a final Conference. The medical officers exchanged views on the results of their studies, and submitted extremely interesting reports, comparing the working of sanitary services in the countries visited with their own.

The essential part of the interchange consisted in a period of service of several weeks with the local sanitary administrations of the countries visited, the visitors being distributed in groups. In this manner they were able to live the life of their colleagues and to observe their daily round of duty.

The experience of these first two attempts showed that it would be well at first to confine the visit to a single country. A very full programme lasting six weeks, such as that arranged for Great Britain and Austria, resulted in the participants feeling somewhat exhausted at the end of the first part of the exchange. It was obviously necessary to arrange to extend the period several weeks. It was recognised that in future it would be indispensable to communicate to health administrations a detailed programme four to six months in advance, and, as far as possible, to forward at the same time the documents to be studied during the interchange. It is likewise

necessary to ask health services to make the nominations four to six months in advance in order to allow of direct communication with the officials chosen, so as to give each of them a clear idea of the scope and nature of the exchange. It was also recognised that a group taking part in a period of practical service should not consist of more than two or three officers.

The Committee has taken these considerations into account in organising the third collective interchange which began on September 10th, at Washington.

Twenty-four medical officers, representing eighteen European and American countries, are taking part in this interchange. These twenty-four officers will spend their period of practical service in the Sanitary Administrations of the Municipalities of the various States, and in the Federal Health Service, the whole lasting about 100 days.

Two other interchanges of a different type have been organised. Those taking part in them were specialists in malaria or in the work of Public Health Laboratories. The malaria exchange was organised in Italy, while the interchange between the personnel of the various Public Health Institutes, which have appointed their higher officials for the purpose, is taking place at the present moment.

The Assembly will doubtless recollect that it is thanks to a subsidy from the Rockefeller Foundation that the Health Committee has been able to organise this very extended liaison system, which may be regarded as a model one, between the technical health services.

For the year 1924, the Health Organisation has decided, in agreement with the Council, that four collective interchanges shall take place—one in Great Britain, a second in the Netherlands and Denmark, a third in Switzerland, and a fourth to be organised particularly for the countries of the Far East.

It has further been decided to organise two interchanges in which a limited number of specialists either in tuberculosis or in school hygiene will take part.

The Assembly will perhaps be glad to have a list of the States whose Sanitary Administrations have benefited by these interchanges up to now. They are as follows:—

Albania, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, Czechoslovakia, Denmark, Finland, France, Germany, Great Britain, Greece, Hungary, Italy, Japan, Mexico, the Netherlands, Norway, Poland, Portugal, Roumania, Russia, the Kingdom of the Serbs, Croats and Slovenes, Spain, Salvador, Sweden, Switzerland, the United States of America and the Ukraine.

The total number of medical officers who have taken part in this system of exchanges is 108.

II.

A new type of interchange will shortly be instituted, thanks to a new grant made by the Rockefeller Foundation a few months ago. It will be used more especially for the purpose of establishing direct relations between the technical officers in charge of the services of public health statistics of their respective countries.

As my colleagues are aware, the system of health statistics is far from being uniform in the various countries, and Health Administrations have long been agreed that the initiation of a thorough and systematic study of the methods of interpreting the data regarding the course of epidemics in the various countries is greatly needed. Thanks to this new system of interchange, some twelve medical statistical experts will be able to work in the office of our Health Section at Geneva and will this year extend their investigations to a few offices of health statistics such as those in London, Berne and in the Netherlands.

The Second Committee emphasises its desires to establish still closer relations between national services and international organisations dealing with the question of public health, in accordance with the proposition made by the Delegate of Cuba, which it examined. It noted that the Council, on the proposal of the Health Committee, had taken a decision regarding the establishment of a liaison between the Health Organisation of the League of Nations and the Pan-American Sanitary Bureau. This liaison has been effected in the most simple and practical manner, thanks to the fact that Dr. Chagas (Brazil) and Dr. Cumming, Director of the United States Public Health Service and Director of the Pan-American Sanitary Bureau, attend the meetings of the Health Committee.

III.

The Health Organisation has also continued to develop its service of epidemiological intelligence, established by the vote of the second Assembly. The Service is now publishing monthly reports, which supply official data on the course of epidemics in all countries of the world to all Public Health Services, and it is continuing to issue special reports, sometimes twice a week, as soon as it receives definite news of the outbreak of important epidemics. As was the case last year, special attention has been devoted to Russia and to Eastern Europe.

A quick intelligence service giving the course of the great epidemics is of special importance as far as the countries of the Far East are concerned. This question is connected with the problem of quarantine arrangements in the ports of the Far East, and for the purpose of investigating all these cognate questions a mission was sent to the more important ports of the Far East.

I should like to mention that this was the first mission that the League has sent to the Far East. It received a very cordial welcome from all countries, including my own.

The Service of Epidemiological Intelligence has also initiated a systematic survey of health organisation and of health statistics in all European countries. Reports of great value have been forwarded to it by the heads of the Health Services of all these countries, and the work will be extended to other nations.

IV.

There is nothing academic about this work. Certain Governments have referred to the Health Organisation for its advice on special problems. The Albanian Government called the attention of the Health Committee to the importance, both from a health and an economic point of view, of the problem of malaria in Albania. It requested the Committee to outline a plan of campaign against malaria with the object not merely of arresting but of eradicating the disease.

The Netherlands Government has requested the Health Committee to undertake an enquiry into the possibility of classifying ports according to the arrangements they possess for the medical inspection and treatment of ships.

The Netherlands Government was led to make this request because it wished to see the practice, at present in force in all Dutch ports, applied to all ports. In accordance with Dutch legislation regarding the risk of infection by ships, ships admitted on a clean bill of health to certain ports specified by the competent authorities of the Netherlands Government, are exempt from medical inspection on their arrival at other ports. The Netherlands Government considers that it would be of great advantage to international shipping if this practice could be extended as far as possible. Considering, however, that it would be difficult for it to form an opinion of the present value of the health procedure in foreign ports, the Netherlands Government believes that this enquiry could be more easily carried out by an international organisation. It believes that if the Health Organisation of the League undertook this enquiry, the Netherlands Government itself, as well as other Governments, would be prepared to grant exemption from health inspection to any vessels which had been given a clean bill of health by one of the ports specified by the technical organisation of the League of Nations.

V.

I should like to remind the Assembly that the Health Committee last year undertook work on the standardisation of sera and of serological reactions.

This work has resulted in the introduction of an international unit to express the value of anti-diphtheritic and anti-tetanic sera. Very important work in connection with other sera is at present being done. Further, with the authority of the Council, the Committee has made arrangements for the investigation of the methods of standardising certain drugs and pharmaceutical products of great importance. A special technical conference was held for this purpose in Edinburgh in July last, and research work is about to begin in a series of laboratories.

The Second Committee has expressed its wish to see this work of the Health Committee further developed. It desires to emphasise that it will lead to researches of immediate practical usefulness and give a great impetus to international co-operation between the principal institutes of medical research throughout the world.

M. Dvoracek, of the Czechoslovak Delegation, has drawn the attention of the Second Committee to the fact that it would be advisable to obtain the co-operation of the Governments in applying the results obtained by the Health Committee in the investigations on the standardisation of anti-toxic sera. As this question is very technical, the Second Committee expressed the opinion that the Health Organisation be asked to study the proposition of the honourable Delegate for Czechoslovakia and to present to the Council appropriate recommendations.

VI.

The Assembly is aware of the work carried out during the last three years by the Epidemic Commission. During the last eight months this Commission has undertaken a great vaccination campaign among the refugees in Greece. It has organised a service of preventive-vaccination, and three million individual vaccinations have been performed. This work was done at the request of the Greek Health Authorities, close touch being maintained with the High Commissariat for Refugees.

The Commission has also continued its work, in close connection with the Polish Health Service, for the protection of the European Health Zone established on both sides of the Russo-Polish frontier. It has also continued its epidemiological investigations and its technical collaboration with the Russian Health Services.

It is helping the Latvian Health Services to establish a maritime quarantine station at Libau.

The Assembly will, I am sure, agree with the Second Committee in recognising that both the past and the present activities of the Epidemic Commission—the rapid action which it has taken when public health has been threatened, and its work in collecting information as to the spread of epidemics—have proved remarkably successful and effective.

The Second Committee has adopted a Resolution concerning the Epidemic Commission which, in conformity with the Rules of Procedure, will be examined by the Fourth Committee before it is submitted to the Assembly.

VII. •

I shall now pass on to the examination of the scheme for the Constitution of the Health Organisation of the League in the form in which it is submitted to the Assembly.

The Covenant of the League of Nations, in Article 23 (*f*), provides that, subject to and in accordance with the provisions of international conventions, the League shall endeavour to take steps in matters of international concern for the prevention and control of disease.

Article 24 of the Covenant further provides that there shall be placed under the direction of the League all international bureaux already established by general treaties, if the parties to such treaties consent.

In accordance with these provisions, and to help the League to fulfil the task imposed upon it by Article 23 (*f*) already quoted, the first Assembly expressed the intention of placing the Office international d'hygiène under the direction of the League of Nations, and drew up a general plan for an International Health Organisation, according to which it was to include :—

- (1) The Office international d'hygiène publique, which, reinforced by delegates from the countries which did not take part in the Rome Conference, was to become the General Committee.
- (2) A Technical Committee.
- (3) A Secretariat.

The unanimous agreement of the Governments could not be obtained with regard to the attachment of the Office international d'hygiène publique to the League of Nations.

In these circumstances, the second Assembly, after noting the measures taken by the Council to carry out, as far as possible, the resolution of the first Assembly, adopted the following resolution :—

“ The Health Organisation of the League of Nations shall provisionally comprise a Health Committee. The Secretariat of this Organisation shall be appointed by the Secretary-General of the League, and be responsible to him, and shall be placed under a Medical Director.”

The Provisional Health Committee set up by the Council was therefore approved by the Assembly.

The third Assembly expressed the opinion that the Health Organisation of the League of Nations met a permanent need, and that it was essential that it should continue its work.

The Assembly further decided that a scheme should be drawn up, before the meeting of the fourth Assembly, on the basis laid down and in accordance with the principles approved by the first Assembly for the technical organisations of the League, for the constitution of a permanent Health Organisation, and that the scheme should then be submitted for approval to the fourth Assembly.

This organisation was to be entrusted with the duties defined by the first and second Assemblies.

In consequence of this decision, the Council of the League of Nations decided on January 30th, 1923, to constitute a special Mixed Committee composed of an equal number of members of the Health Committee of the League and of the Office international d'hygiène publique. The duty of the Committee was to prepare a scheme for the constitution of the Permanent Health Organisation.

The resolution of the Council having been accepted by the Committee of the Office international d'hygiène, the special Mixed Committee met in Paris last May.

This Committee drew up a scheme of organisation which has been favourably considered by the Council of the League of Nations, and is at the present moment being examined by the Assembly.

Being anxious to avoid the overlapping which might result from the existence of two separate organisations, the Mixed Committee considered it desirable to establish a close connection between the Health Service of the League of Nations and the Office international d'hygiène publique by establishing the Health Organisation on a similar basis to that of the other technical services of the League.

In accordance with this principle, the proposed Health Organisation is to include :—

- (1) An Advisory Council ;
- (2) A Health Committee ;
- (3) A Health Section, forming part of the Secretariat of the League of Nations.

The work of the Advisory Council will be entrusted to the Committee of the Office international d'hygiène publique.

The Health Committee is to be composed of sixteen members, namely, the Chairman of the Committee of the Office, nine members chosen by that Committee, and six members appointed by the Council of the League of Nations, after consultation with the Health Committee.¹ It

¹ As the new Health Committee will not yet be in existence, the Second Committee believes that the Council should consult the Chairman of the Provisional Health Committee before making the first appointments.

is further suggested that the Council should, if necessary, appoint four extra Health Assessors, who would be regarded as active members of the Committee. The Second Committee considers that these assessors should be appointed for a period of three years in the same way as the other members of the Committee.

The Health Section of the Secretariat of the League of Nations will continue to be administered in accordance with the regulations governing the organisations of the League of Nations (*see* Resolution of the first Assembly of December 9th, 1920).

All steps have been taken to establish close and profitable relations both between the Advisory Council and the Health Committee, and between the Office international and the Health Section of the League; the two organisations will keep in touch with each other and will forward to the Members of the Council and of the Committee all documents relating to their work.

The Committee of the Office international d'hygiène publique will retain all its powers and will become the Advisory Council of the League of Nations. Its duty will be to consider and discuss any questions which the Health Committee of the League may think fit to submit to it, either on its own initiative or at the request of the Council.

The importance of the opinions and resolutions of the Committee of the Office is enhanced by the fact that it is composed of delegates of all the participating States.

The Committee, which has a large number of members and meets only twice a year, has not always the resources which are indispensable for any exhaustive and practical study of the questions submitted to it. It has, therefore, been provided that the Committee may entrust the preparation of its work to the Health Committee of the League of Nations if it considers that this procedure is likely to assist its investigations. The Health Committee is a less scattered body and has greater elasticity. It may, if occasion arises, carry out enquiries, appoint special sub-committees, and attach to them any qualified persons whose assistance it desires.

The Health Committee of the League of Nations will thus be responsible for the preliminary work on which the Advisory Council's investigations will be based. The Health Committee will also hold itself at the disposal of the Council of the League of Nations to consider all questions which fall within its competence and the solution of which would not appear to require any action on the part of the Advisory Council or would be more quickly secured without such action.

Lastly, the Health Committee will direct the work of the Health Section of the Secretariat of the League of Nations. This Section, which is under the Medical Director and which will act as the Secretariat of the Health Organisation, forms part of the machinery of the Secretariat of the League of Nations.

The powers and duties of the Health Section will be determined by the Health Committee and submitted for the approval of the Secretary-General of the League.

Such are the proposals of the Mixed Committee with regard to the Health Organisation of the League of Nations. They will not involve any increase in expenditure of the League. There is no reason to anticipate the convening of any special sessions of the Office for the consideration of the questions which may be submitted to it by the Council or the Assembly of the League.

The Assembly has therefore every guarantee as regards financial matters.

It need hardly be stated that the Committee and the Health Section will be established in the same place as the League of Nations. The Office international d'hygiène publique will remain in Paris, as provided in the Rome Agreement of 1907.

The Assembly will wish to associate itself with Viscount Ishii, the Rapporteur to the Council, in congratulating the Mixed Committee on the great thoroughness which it has displayed in solving the problem put before it. Taking into account the experience gained by the other League Committees, it has given our Health Committee all the elasticity that it ought to have, and in particular it has made provision—with the Council's approval, of course—for the formation of sub-committees, the consultation of experts, etc. It has specifically provided that the Health Committee's work is to be confined within the limits of its competence, as laid down by the Council and the Assembly of the League. It is therefore clear that the Council will be asked for its approval in all cases.

The Health Committee, thus constructed, will direct the Health Work of the League of Nations. Its executive organ, the Health Section of the Secretariat, will remain under the Secretary-General's orders and be responsible to him, but in technical matters it will follow the guiding principles laid down for it by the Health Committee (*see* Resolution of the first Assembly of December 9th, 1920).

The Second Committee accepted, with the greatest possible satisfaction, the scheme of the Mixed Committee for the constitution of the Health Organisation of the League. The Committee would like to emphasise that the intimate association created by this agreement between the Organisation of the League of Nations and the Office International will lead to a simplification of the work and consequently a diminution of the charges which the League has assumed in order to carry out the obligations imposed on it by Article 23 (j) of the Covenant.

The Committee considers that the Health Section of the Secretariat should confine itself to doing the work prescribed by the preceding Assemblies, as has been done hitherto. The work of the Health Committee and of the Health Section should be in the future the same as it has been in the past, namely, to give the Council advice, when called upon to do so, to carry out the programme drawn up by the Advisory Council for its guidance; to

execute any mandate given to it by the Council or by the Assembly of the League; to take all emergency measures which may be asked by any Member of the League, on the application of the Governments concerned; and, finally, to act as organ of mediation and interpretation with regard to agreements.

The Second Committee considers it advisable that the agreement between the Office and the Health Services of the League, which it regards as transitional, should develop in the direction of unification.

It might be useful, perhaps, to consider whether the Advisory Council could act in the place of conferences for the conclusion or revision of certain conventions. In this way, appreciable economies would be effected, and overlapping with international conferences avoided. These conferences, however, may have a more general constitution and at times more specific duties.

The Second Committee has examined certain suggestions which were put forward by several of its members.

M. Ador requested that the members of the Health Committee be appointed as representatives of their respective Governments and not in their private capacity.

The delegates to the Office international took part in the meetings as representatives of their Governments, and it seemed reasonable that the Health Committee—constituted as suggested—should include among its members both heads of administrative services, dependent as such on their own Governments, and representatives of the medical profession who had specialised in public health and preventive medicine. The method of election proposed by the Mixed Committee would obviously lead to the inclusion in the Health Committee of representatives from both these categories.

The Second Committee was entirely in agreement with M. Ador's desire that the work of the International Health Organisation of the League of Nations, even when at a preparatory stage of enquiry and investigation, should be carried on in the closest possible co-operation with the Governments. The Committee considers, however, that co-operation between the Health Committee and the Governments would in practice be realised without difficulty; most of the members would be selected from the Office international, sitting on the Committee as experts; and attending the Office international as representatives of their Governments. The Committee would certainly include a high proportion of officials from the Public Health Departments. Otherwise there would be a risk that the decisions of a Committee consisting of Government representatives might be influenced by considerations other than those of a scientific or technical character.

Moreover, it is difficult to see how the Advisory Council could nominate nine members of the Committee and the League another six to represent their Governments; such nominations are clearly the prerogative of Governments themselves.

It was suggested in M. Avramovitch's proposal that in the choice of members of the Health Committee, both as regards members to be elected by the Office international and those to be appointed by the Council, due weight should be given to the importance the various Governments attach to health questions and also to geographical representation. It would probably be enough to draw the attention of the Organisation and of the Council to the fact that they would be justified in entrusting this matter to an international body of experts, such as the Committee of the Organisation.

M. Zumeta reminded the Second Committee that the Venezuelan Delegation had made the following statement to the third Assembly:

“The Venezuelan Delegation is of the opinion that the advisory and technical duties of the Provisional Health Committee and of the Permanent Health Organisation should be more clearly defined, in order that, except in urgent cases and with the approval of the Council of the League of Nations, these Technical Organisations may not proceed to take any steps except such as are in conformity with a plan previously submitted for approval to the Assembly.”

He was reminded that M. Rivas-Vicuña, the Chilean Delegate and Rapporteur of the Second Committee of the third Assembly, had drawn attention to the fact that the Resolution adopted by the second Assembly, on the basis of which the plan then under discussion had been drawn up, and had stated explicitly that the Permanent Health Organisation should be established “on the basis of, and in conformity with, the principles adopted by the First Assembly for the Technical Organisations of the League,” and that this organisation “should be entrusted with duties defined by the first and second Assemblies.”

The Venezuelan Delegation was satisfied with this statement.

The Second Committee considered that the draft constitution for the Health Organisation drawn up by the Mixed Committee was not in any respect incompatible with the Resolution of the third Assembly, and assumed that the Health Organisation in its new form would still be controlled throughout by the Council and the Assembly. (See Resolution of the first Assembly of December 9th, 1920, on the relations of the Technical Organisations of the League with the Council and the Assembly.)

Jonkheer van Eysinga and M. Avramovitch suggested to the Second Committee that it would be advisable in future to adopt the title of “Health Organisation” instead of “Permanent Health Organisation”, and “Advisory Health Council” instead of “General Advisory Health Council”.

The honourable Delegate of the Netherlands has further asked that the annual report which the Health Committee will present to the Advisory Health Council should also be submitted to the Assembly.

The Second Committee notes that it would be advisable that the agreement to be concluded between the League of Nations and the Office international d'hygiène publique should be terminable at twelve months' notice.

The Second Committee fully endorses these suggestions.

On behalf of the Second Committee, I have the honour to submit to the Assembly the following Resolutions :

I.

" The Assembly endorses without reserve the conclusions contained in the report which has been presented to it by the Second Committee, signifying approval both of the work of the Health Organisation of the League of Nations during the past year and of its plans for the future.

" The Assembly approves the decision of the Council to authorise the Health Committee to examine the Dutch proposal regarding free *pratique* to ships, as well as the proposal of the Second Committee to submit to the Health Committee the study of the means by which the results of the investigation on the standardisation of sera can be utilised by the Governments. In conformity with the desire expressed by the last Assembly, the Health Committee will consult, if necessary, the other Technical Organisations of the League, and will submit to the Council the results of its deliberations."

2.

" The Assembly, realising that the establishment of a single international health organisation, much as it is to be desired, is not attainable in present circumstances, considers that in the treatment of health questions, it is important to avoid the uncertainty and confusion to which the existence of two distinct organisations may give rise, and consequently that it is advisable to establish close relations between the Health Services of the League of Nations and the Office international d'hygiène publique by the constitution of the Health Organisation of the League on lines which correspond to those of the other technical services of the League,

" Having considered the Resolution adopted by the third Assembly on September 15th, 1922, that it may be possible, before the meeting of the fourth Assembly, to prepare, on the basis and according to the principles adopted by the first Assembly for the Technical Organisations of the League, the Constitution of a Health Organisation which will be submitted to the fourth Assembly for approval, this Organisation will undertake the duties laid down in the resolutions of the first and second Assemblies';

" And having considered the report of the Special Mixed Commission of the Office international d'hygiène publique and the Health Committee of the League of Nations, and in view of the fact that the Council has approved the scheme of the Health Organisation and decided that it be submitted for examination to the Assembly:

" Decides to approve the scheme submitted by the Mixed Commission for the Health Organisation of the League of Nations, and asks the Council to take all necessary steps to make this agreement effective;

" Calls the attention of the Council to the views expressed in the report of the Second Committee to the fourth Assembly."

SUPPLEMENTARY NOTE TO THE REPORT OF THE SECOND COMMITTEE ON THE
WORK OF THE HEALTH ORGANISATION.

Presented to the Assembly by the Rapporteur, M. ADATCI.

The Second Committee has examined a motion put forward by Sir Neville Howse, the honourable Delegate for Australia, in which it is proposed that the reports presented to the Permanent Mandates Commission by the mandatory Powers should be presented to the Health Committee of the League for any comments which it may desire to make after studying the chapters of the reports dealing with questions of public health.

The Second Committee, desirous of seeing intimate relations established between the special Technical Organisations of the League, has decided to submit to the Assembly the following Resolution, which I have the honour to present :

" The Assembly is of the opinion that it would be desirable for all health reports presented to the Permanent Mandates Commission to be communicated to the Health Committee of the League of Nations for any recommendations it may desire to make to the Permanent Mandates Commission."

ANNEX 8.

PROPOSALS OF THE BRITISH GOVERNMENT
FOR THE AMENDMENT OF ARTICLE 16 OF THE COVENANT.

REPORT SUBMITTED BY THE FIRST COMMITTEE TO THE ASSEMBLY.

Rapporteur: Dr. LIMBURG, Delegate of the Netherlands.

The First Committee, having examined the amendments to Article 16, paragraph 1, of the Covenant, proposed by the British Government on July 30th, 1923, has the honour to submit to the Assembly the following Resolution:

"The Assembly decides to defer discussion of the amendments to Article 16 of the Covenant proposed by the British Government until the fifth Assembly (1924)."

The second Assembly adopted, among others, an amendment to the text of paragraph 1 of Article 16, which the new British amendment proposes to modify still further. The second sentence of paragraph 1, as amended by the second Assembly, is worded as follows:

"Which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse *between persons residing in their territory and persons residing in the territory of the covenant-breaking State* and the prevention of all financial, commercial or personal intercourse *between persons residing in the territory of the covenant-breaking State and persons residing in the territory of any other State, whether a Member of the League or not.*"

The British amendment would modify this phrase as follows:

"Which hereby undertake immediately to subject it to the severance of all trade or financial relations, and to prohibit all intercourse *even if not between their nationals and the nationals of the covenant-breaking State, at least between persons resident within their territories and persons resident within the territory of the covenant-breaking State*, and to prevent all financial, commercial or personal intercourse, *even if not between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not, at least between persons resident in the territory of that State and those residing in the territory of any other State whether a Member of the League or not.*"

The reasons which have led the Committee to formulate the above-mentioned proposal are the following:

(1) The number of States which have ratified the amendments to Article 16 which were adopted by the second Assembly is not yet sufficient to allow these amendments to come into force. It would not, therefore, be opportune to adopt new amendments on the same subject as amendments already adopted but not yet completely ratified; such action might even cause a certain amount of difficulty—as regards their constitutional law—to certain States Members of the League.

(2) It would not be opportune to recommence in the present Assembly a discussion on the blockade as provided for in Article 16.

(3) The drafting of the British amendment does not appear to be quite clear. The words "if not" (*sinon*) and "at least" (*au moins*) might give rise to some ambiguities, which one should endeavour to remove by redrafting the text after examination and further discussion.

Naturally, all the members of the Committee did not attach equal importance to these three reasons: some considered one reason more important and some another.

The second British amendment proposes to delete the words "in such case," at the beginning of paragraph 2 of Article 16, on the ground that they will be superfluous as soon as the paragraph becomes paragraph 5 in consequence of the entry into force of the amendments adopted by the second Assembly.

Although this amendment only constitutes an improvement of drafting, the Committee feels that, as the first amendment has been adjourned until next Assembly, it would be better to adjourn the second amendment also until that Assembly.

ANNEX 9.

ORGANISATION FOR COMMUNICATIONS AND TRANSIT.

REPORT SUBMITTED BY THE SECOND COMMITTEE TO THE ASSEMBLY.

Rapporteur: the Hon. George P. GRAHAM, Delegate of Canada.

The members of the Assembly will have noted the two reports submitted by the Advisory and Technical Committee for Communications and Transit concerning the work of the Communications and Transit Organisation since the last Assembly.

The first of these reports summarises the work accomplished up to July last ; the second deals with the questions dealt with by the Committee at its last session, which ended immediately before the opening of the Assembly.

As is explained in the first report, the main task of the Communications and Transit Section during the first half of the year consisted in making arrangements for the next General Conference on Communications and Transit, which, according to the resolution adopted last year by the Assembly, was to meet in the autumn. The date of November 15th has been fixed by the Council. The programme of the Conference would appear to have been most carefully prepared by the Advisory and Technical Committee. The texts of the Convention to be considered by the Conference have been carefully examined by experts. There is every reason to hope that the Conference will thus be able, on the basis of this preliminary work, to conclude the General Convention on the International Regime of Railways and the General Convention on the International Regime of Maritime Ports. These Conventions are provided for in the Treaties of Peace, and the Genoa Conference at a later date made a fresh request that they be drawn up as soon as possible. There is also included in the programme of the Conference two proposals dealing with a subject which, in certain respects, breaks fresh ground and is therefore particularly interesting — international problems connected with the utilisation of electric power.

The Assembly is not required to examine these texts — that will be the duty of the Conference which is to meet ; but the Assembly may forthwith express its approval of the considerable work accomplished by the members of the Advisory and Technical Committee, assisted by the highly qualified experts whom they have called in.

The drawing-up of the General Convention on the International Regime of Railways has necessitated much extremely careful consideration and revision. Under the auspices of the League of Nations, an attempt has been made to meet not merely the conditions and traditions of certain countries of one continent but of all countries in the world. For instance, many divergencies apparently exist between the way in which railway questions are habitually regarded in Great Britain and the manner in which they are regarded in Continental Europe, and there are differences of outlook between America and Europe. It has, however, been possible to prepare a single text, which it is hoped will enable all countries to collaborate successfully.

The other proposals will also, in their own sphere of action, prove of assistance in carrying out one of the tasks of the League of Nations: namely, diminishing the causes of international disputes by laying down beforehand between the States certain fixed and just principles, the only considerations taken into account being those connected with the technical problems themselves.

Thus the object of the Draft Convention on the International Regime of Maritime Ports is to establish, with certain reservations, equality of treatment for vessels of all nationalities in these ports ; and the proposals connected with electric power will tend to diminish as much as possible the influence of political frontiers on the solution of the problem of utilising electric power, while the sovereignty of States will be fully protected.

The success of the Barcelona Conference, which success is now an established fact, entitles us to hope that this Second General Conference of the Communications and Transit Organisation will also be a success. The ratifications of the Conventions concluded at Barcelona and adherences to these Conventions are being received rather slowly, but the progress is nevertheless continuous, especially as regards the General Convention on the Freedom of Transit, which all States represented at the Genoa Conference declared their intention to ratify.

Regarding the Barcelona Convention on the International Regime of Navigable Waterways, the negotiations referred to in the Resolution of the last Assembly are continuing, and meanwhile the Navigation Acts which are being drawn up in connection with the principal European rivers of international concern are in conformity with the Convention.

The Barcelona statute concerning ports placed under an International Regime, the scope of which was more limited, has been referred to and made use of in the last Treaty of Peace which has been concluded.

There is reason to hope that, when the next Conference meets, almost all countries of the world will be represented, and in this connection the Assembly cannot feel otherwise than satisfied that the Council should have decided to invite all recognised States which may be admitted to participate in the work of the Conference in virtue of Article 2 of the regulation adopted at Barcelona for the organisation of general conferences.

Finally, in conformity with the resolutions adopted by the last Assembly, invitations and the results of the preparatory work connected with the Conference were sent to all States five months before the meeting of the Conference.

The other activities of the Committee since the last Assembly have also been clearly set forth in the reports which it has submitted.

The first application of the technical procedure of conciliation for the settlement of disputes has met with complete success, and difficulties which had existed for about two years between the German railways and the Saar railways were rapidly settled by mutual agreement. This result cannot fail to encourage the extension of the technical procedure for conciliation, which was laid down for the first time in the Resolutions of the first Assembly dealing with the carrying-out of the Treaties of Peace, and later in an article of the Barcelona Conventions for the application of those Conventions, in the Navigation Acts in process of being drawn up in regard to the different rivers placed under the jurisdiction of international commissions by the Treaties of Peace, and in the recent Convention on the Hydraulic Regime of the Middle Danube. This provides a further instance of the friendly settlement of technical difficulties by direct contact between specialists before these difficulties grow into political disputes, which is the fundamental principle of the Technical Organisations of the League.

The large amount of new work undertaken by the Advisory and Technical Committee, some of which had already been foreshadowed at the time of the last Assembly, and all of which is of practical interest, gives some idea of the activities of the Organisation, which remain, however, within the strict limits of the programme assigned to it by the Covenant and by the Resolutions of the Assembly. In all branches of transport, the Committee endeavours to secure improvements of a practical nature by means of agreements between the Governments concerned. The Governments have never failed to respond to its appeals, and, in the case of a question which affected a problem of a wider bearing with regard to which the Committee had to deal with high religious authorities, the latter, who had hitherto never co-operated directly with the League, did not hesitate to lend their assistance.

A technical discussion of the results obtained and of the work undertaken by the Communications and Transit Organisation would, no doubt, be out of place in the Assembly; but the Assembly will perhaps desire to draw special attention to the importance of the enquiry made in regard to the application of the Resolutions of the Genoa Conference in Europe and to the conclusions, interesting not only from a technical point of view but also from the standpoint of general economics, which the Committee adopted after investigating the problem of restoring communications in Europe. The conclusions reached on this subject by the Advisory and Technical Committee are of sufficient interest for the Assembly itself to draw the special attention of the Governments to them in its own Resolutions.

In general, the Assembly cannot fail to note with satisfaction the efforts of the Organisation, the development of its work, and the procedure which it has adopted. This procedure, which has not changed since the creation of the Organisation, now appears to be definitely fixed, and it may be useful to describe it at a moment when the Advisory and Technical Committee will so shortly come before the Second General Conference of the Organisation for renewal. This procedure, which has enabled the Organisation to conduct its work in a prudent and unobtrusive manner, may be described as follows:

The Committee regularly holds two plenary sessions, one at the beginning of the spring and the other immediately before the Assembly. In the interval the work on specific problems is prepared by special Sub-Committees consisting of members specialising in certain classes of questions and assisted by experts appointed by the Committee. The work is therefore directly carried out by specialists, who remain in touch with the general conditions of their respective countries during the intervals between the Committees. The permanent nucleus consists of a secretariat of very limited dimensions. This method is undoubtedly the most flexible and the least bureaucratic. Lastly, when necessary, the Committee gets into touch with all other international bodies with a view to avoiding duplication, whether these bodies are other organisations of the League, such as the Health Committee and the Opium Committee, in co-operation with which the Transit Organisation has worked during the past year, or whether they are outside the League, like the River Commissions, the International Union of Railways, the International Commission for Air Navigation, etc.

Reference has been made to work carried out in conjunction with other Technical Organisations of the League, such as, for instance, the Health Committee. It is desirable to point out that, as the world advances, the definition of transportation must be enlarged; briefly stated, it formerly could be interpreted as the method of carrying people and products from one point to another point with fair speed and at a reasonable rate; to this should now be added the words "and in a sanitary condition".

Livestock organisations and those engaged in the trade of animals are most insistent that the vehicles of transport should be regularly disinfected and kept clean. Considerable advance has been made in the sanitation of passenger cars, but there is room yet for vast improvement. It is not a stretch of the imagination to presume that diseases are in no small degree spread by the insanitary condition which exists in portions of passenger cars. This question may properly belong to another department, but it is not out of place when dealing with transit in this Assembly to call attention to the fact that the comfort, safety and convenience of passengers could be improved if greater care were exercised in keeping these vehicles clean and sanitary.

The Organisation has not lost sight of the growing importance of transport by air. In addition to maintaining a constant liaison with the various international organisations and conferences dealing with aerial navigation, it has envisaged such questions as the unification of air law of private and commercial law relating to aerial navigation, as well as the simplification of Customs formalities for passenger traffic by air.

The next General Conference will give birth to a new Advisory and Technical Committee for Communications and Transit.

It is therefore the last time that the work of the present Committee will come before the Assembly. This Committee has had the difficult task of taking the initiative and of indicating the lines to be followed. The Assembly will, no doubt, wish to mark its appreciation of its contribution to the general work of the League.

I would therefore wish to propose the following draft resolution for the consideration of the Assembly:

Draft Resolution.

“ The Assembly,

“ Having taken note of the reports submitted by the Advisory and Technical Committee for Communications and Transit (Documents A. 42 and A. 70. 1923) concerning the work of the Communications and Transit Organisation between the third and fourth Assemblies:

“ Notes with satisfaction the work of the Organisation during this period and the results achieved both in respect of the preparation of the four draft Conventions to be submitted to the Second General Conference which meets on November 15th (in which the Assembly shares the hopes of the Council that all recognised States will participate) and in respect of the drawing-up of numerous resolutions dealing with all classes of transport, which the Assembly desires to bring to the notice of the Council and of the Governments concerned.

“ Notes with satisfaction the complete success of the first application of the procedure for technical conciliation of differences between States with regard to questions affecting communications; it trusts that this procedure, which is laid down by the Resolutions of the first Assembly for the settlement of disputes concerning the execution of the Treaties of Peace, and by the provisions of various subsequent conventions, will continue no less successfully in the future the work for which it was designed.

“ Among the work of a more essentially practical nature carried out by the Advisory and Technical Committee, the Assembly takes special note of the enquiry undertaken, in accordance with the decisions of the last Assembly, into the application of the Resolutions of the Genoa Conference regarding the restoration and improvement of means of communication in Europe. The Assembly draws attention to the conclusions arrived at by the Committee as a result of this investigation, namely that, with regard to Western Europe, the efforts for the restoration of transport which have been necessary as a result of the War can be considered as having on the whole led to the re-establishment of a normal situation; whereas, with regard to Central and Eastern Europe, the application of the measures laid down at the Genoa Conference and at the preceding International Conferences, as well as the efforts made by the Governments, have resulted in general in a marked improvement both in the material restoration of the means of transport and in the facilities given to international traffic. Nevertheless, it should be pointed out that the important progress still to be realised is subordinate to considerations which are far wider than those of transport, and especially the problem of the stabilisation of exchanges and that of credits.

“ Whereas the present Advisory and Technical Committee for Communications and Transit will be subject to renewal at the forthcoming General Conference, the Assembly offers its heartiest thanks to it for the work that it has done, and expresses its confidence that the next Committee will continue that work, making use of the same procedure and inspired by the same ideals.”

ANNEX 10.

ECONOMIC AND FINANCIAL COMMISSION.

REPORTS SUBMITTED BY THE SECOND COMMITTEE TO THE ASSEMBLY.

Rapporteurs :

M. FERNANDEZ Y MEDINA, Delegate of Uruguay;
The Jonkheer VAN EYSINGA, Delegate of the Netherlands.

A. — REPORT ON THE WORK OF THE FINANCIAL COMMITTEE.

Rapporteur : M. FERNANDEZ Y MEDINA.

Since September 1922, the work of the Financial Committee has extended over a range of subjects a part of which is within the province of two of my colleagues on the Second Committee. M. Ador has already explained the part played in the reconstruction of *Austria* by the members of the Financial Committee, both in the preparation of protocols in September and October 1922, and in their capacity as the Provisional Delegation of the League of Nations, when they carried out the preliminary work at Vienna pending the Commissioner-General's arrival. M. van Eysinga, who will deal more particularly with questions affecting the Economic Committee, has detailed the results of the work undertaken by the Financial Committee on subjects which fell within the competence of both, such as our collaboration with the International Labour Office on the *unemployment problem*, and the *issue of publications* by the Economic and Financial Organisation. I need therefore deal only with the other branches of the Financial Committee's work.

As you are well aware, all this work is based on the general ideas put forward by the International Financial Conference at Brussels in 1920.

The duty of the Financial Committee — which, as you will find, it performs most admirably — is, as far as possible, to give practical effect to those ideas which are known throughout the world as the "*Brussels Resolutions*".

The publications of the Economic and Financial Section, to which M. van Eysinga will refer, have informed the public of what has been done in this direction.

As you know, however, the Financial Committee's activities are not confined to the compilation of statistical reports, however perfect. The memorandum on Public Finance, the memorandum on Currency, the memorandum on Central Banks of Issue, and the report on the principles laid down at Brussels undoubtedly constitute valuable material for investigation, but the Committee's chief ambition is to further the practical application of the principles of sound finance.

The work of which I have to speak to you as regards the year 1922-23 falls under two heads, general and special. Among the questions of general interest which came before its notice, the Committee, during the past year, without neglecting its enquiry into currency and exchange problems, which are of primary importance to it, has attempted to further a solution of the serious problem of *double taxation*.

For some years, the public has been feeling the evils of double taxation. From the point of view of equity, the taxpayers' interests suffer serious damage from the fantastic proportions of the rates of taxation applied to the same sources of income in two different countries, while, from the general economic point of view, there can be no doubt that the free circulation of capital is hampered by the absence of any international boundary-line for the operation of fiscal tariffs.

The Financial Committee of the League of Nations organised an investigation into the problem of double taxation, and asked two separate groups of experts to consider it.

The first group consisted of four eminent economists — M. Bruins, M. Einaudi, M. Seligman and Sir Josiah Stamp — who discussed the matter during the year 1922 and drew up a valuable report at a meeting held at Geneva in March 1923. This report was communicated to all the States Members of the League. It opens with a survey of the economic consequences of double taxation, which is followed by an examination of the general principles upon which every State bases its right to levy taxes. Emphasis is laid on the necessity of giving careful consideration,

in any solution, to the varying economic conditions in different countries. Some countries are creditors, and other debtors, owing to the varying stages of their economic development.

The second group of experts consisted of the heads of the Revenue Department in seven European countries (Great Britain, France, Belgium, the Netherlands, Czechoslovakia, Italy and Switzerland), for a practical solution requires an examination of the problem from the point of view both of the administration and the Government. These senior officials held their first meeting at Geneva in June 1923. They considered the report of the four economists; they explained the peculiarities and traditions of their own fiscal systems, and discussed, from a practical and administrative point of view, the possibility of agreeing upon principles which would be acceptable to a large number of countries. It proved difficult to reconcile divergent economic interests, fiscal interests and legal systems. The delegates of the seven Governments have not yet, however, concluded their work. They have produced a preliminary report, dealing exhaustively with the question of scheduled and actual taxation, and laying down the principle that the assessed income should be divided up in proportion to the amount of business done by the taxpayer in each country. They have also begun an investigation into general income-tax and death duties, and this work will be continued in October.

Acting upon the principle of widespread appeal to all competent authorities, the Finance Committee has, in the matter of double taxation as in other matters, kept in close touch with the International Chamber of Commerce, which is also investigating this question. Any judgment on the ultimate result of the work of these various Committees and experts would be premature.

Next year it will be the duty of the Finance Committee, which will be in possession of all the necessary documentation by May, to recommend how the suggestions made by the experts should be put into practice — whether by proclamation of general principles sanctioned by the fifth Assembly, recommendations to be made to the States, conventions concluded between certain groups of States, international conference on double taxation, or international agreements in the form of protocols open to signature.

Your Rapporteur considers it only fair to state that certain countries have already understood the necessity for remedying taxation abuses where international relations are concerned. For instance, Spain, in a quite recent law, has granted fiscal exemption on condition of reciprocity for profits obtained abroad to branches or representatives of Spanish enterprises. The Netherlands also has expressly provided for the conclusion of treaties on double taxation. Various countries in Central Europe have concluded international conventions which are at present in force. Finally, the importance of the Convention signed at Rome by the Succession States of the Austro-Hungarian Empire has been recognised by the Genoa Conference and the League of Nations.

With regard to *fiscal evasion*, the Finance Committee has appealed to the same Government experts who have been dealing with double taxation to find remedies for this evil, from which the budgets of all countries are suffering. The Committee has found itself in agreement with the Genoa Conference in thinking that it would be of advantage to combine these two problems, which are so closely connected. At their next meeting, the Government experts will devote special attention to it and will consider the possibilities of drawing up an international agreement in this matter.

Besides these general questions, the Finance Committee, as in preceding years, has been instructed by the Council to investigate a certain number of *special problems* concerning particular countries.

At the end of the year 1922, Greece was confronted with the formidable problem raised by the arrival in her territory of about one million refugees from Asia Minor. The situation presented great financial difficulties. As the Greek Government had not the necessary resources to provide for the establishment of these refugees, and as the relief organisations could not continue to meet very heavy expenses for an indefinite period, an appeal was addressed to the League of Nations, suggesting that this distressing financial problem should be solved by international co-operation. From the very beginning of the investigation of this problem, the Committee had been anxious for its solution by an international organisation which should aim, not at collecting large sums as temporary relief for the refugees — as, in all probability, these sums would exceed any loan obtainable on the international markets for an exclusively humanitarian purpose — but should attempt to encourage the refugees to settle permanently in the country; in other words, the Committee sought to promote a genuinely constructive scheme which, amongst other advantages, might result in attracting or in retaining the valuable help of the American organisations.

With this in view, a scheme for the establishment of refugees to which the Council had already devoted its attention was considered, and the Committee endeavoured, from a purely financial point of view, to give this scheme the best possible practical shape by co-operating in the drafting of the statutes of an International Settlement Commission. You are aware that the Bank of England has already offered one million pounds sterling to the National Bank of Greece on condition that these funds be paid over to the Commission.

The Finance Committee has again given attention to the *Albanian question*. Last year, that State claimed the benefit of the application of a general Resolution of the Assembly concerning technical advisers, by requesting that a financial adviser be appointed, to be entrusted with the task of giving his opinion upon general questions of an economic and financial nature. The Finance Committee was instructed to seek a man capable of carrying out this delicate task. It submitted the name of M. J. D. Hunger, a Dutchman, to the Council, and this proposal was accepted. The Committee also drafted the clauses of a contract between the financial expert and the Albanian Government. M. Hunger took office in the month of June and, at the last meeting of the Finance

Committee in September, he stated his views as to the future development of Albania, advocating, in agreement with the Albanian Government, the constitution of a Bank of Issue. The Finance Committee approved this step, and, at the request of M. Hunger, prepared, in co-operation with him, an organic draft law intended to serve as a basis for the statutes of the future bank.

That is a most interesting enterprise. A young country, having no note issue, is to have its first bank constituted and to see credit, until then practically unknown within its borders, established in the form which is usual in Western Europe.

The problems raised by the financial situation of the *Free City of Danzig* are of quite a different nature. In this case, it is not a question of a newly-formed State; Danzig, on the contrary, has reached a very advanced stage of economic, industrial and commercial development. For two reasons, however, its financial situation is difficult, the first being the heavy charges imposed on it by the Treaty of Versailles; the second, and the more important perhaps, is the collapse of the German mark, the only legal currency at present in circulation in the territory of the Free City.

In the first place, the Danzig Senate asked the Finance Committee to assist it in issuing a loan of 500,000 gold marks, to be used by it as working capital, for the Treasury was continually in difficulties owing to the depreciation of the mark. The Finance Committee asked the Council to approach the Conference of Ambassadors and the Reparation Commission with a view to persuading these bodies — which were creditors of Danzig — not to oppose the issue of the loan. As a result of the steps taken by the Council, the Conference of Ambassadors and the Reparation Commission both made statements which met the desires of the Finance Committee. In addition, the Free City of Danzig was granted a moratorium for one year.

But the monetary situation of Danzig has been growing more and more critical with the collapse of the German mark. In 1922, the Committee had already recommended the Senate to adopt some monetary unit other than the German mark. In July 1923, the Senate at last recognised the wisdom of this advice, and submitted for consideration of the Finance Committee a plan of reform based on the adoption of a new currency, which should have a definite relation to the pound sterling. The Committee discussed the question at length. It did not lose sight of the close legal and business relations existing between the Free City of Danzig and Poland. Under its auspices, negotiations of a semi-official character took place between the representatives of Danzig and of Poland. The Committee gave them its views upon the essential points of a monetary reform at the same time as it communicated them to the Council, and I am glad to inform you that these negotiations resulted in the signature of an agreement.

We sincerely hope that this agreement will lead to the establishment in the Free City of Danzig, and, later, in Poland itself, of a stable currency, one of the primary conditions for the development of a country.

* * *

The statement which I have just made, together with those of M. Ador and M. van Eysinga, will, with the help of the documents which have been distributed to you, give you a comprehensive view of the activity of the Finance Committee during last year.

The President of the Council has, however, reminded us, in opening the fourth Assembly, that the greatest of all problems within the economic and financial sphere has been outside the competence of the League, and has remained unsolved. He added that, while this great unsettled dispute weighs upon the economic life of Europe, the work of the League in every sphere of its activity must necessarily be limited. This is a statement of which the truth is specially appreciated by the Financial Committee. The application of the principles of the Brussels Conference finds in almost every case its greatest difficulty, sometimes an insuperable one, in the continued uncertainty as to reparation payments. While this uncertainty remains, the work of the Financial Committee must necessarily be both restricted and impeded. As soon as it is removed, this work will increase in range and in the fruitfulness of its results.

Meanwhile, the work done and in progress, even under the handicap of this great obstacle, for Albania, for Greece, for Danzig and, above all, for Austria at least gives some indication of what may be expected when this handicap is removed.

The League of Nations has now at its disposal a body of experts composed of the most competent men in the whole world. These men have examined a wide range of problems, the study of which, added to the knowledge of financial problems that they had acquired in their own countries, has given to their experience an international character that is of great service to them in the performance of their duties. Moreover, these men of different nationalities have been working together for some years, have learnt to know each other, and have formed relations that are highly useful in the delicate negotiations with which they are sometimes entrusted.

The future has doubtless heavy tasks in store for the Committee.

The recommendation of which this Report attempts to give a brief explanation will be found in Nos. 1 and 2 of the Resolutions which are being proposed to the Assembly to-day by the Second Committee.

B. — REPORT ON THE WORK OF THE ECONOMIC COMMITTEE.

Rapporteur : Jonkheer VAN EYSINGA.

Since the meeting of the third Assembly, the Economic Committee has been engaged in investigating a certain number of practical problems which are of special interest from the point of view of economic life. In certain cases these investigations have already resulted in preparatory measures designed to lead to definite solutions, which we hope will be adopted and approved by the 1924 Assembly. As regards a matter which is closely connected with international economic life, namely, the treatment of foreign nationals and undertakings, the Council of the League of Nations approved as early as last July a recommendation which was proposed by the Economic Committee and which has been communicated to the Members of the League.

I propose to deal in detail with each of these problems, whether they are still being investigated, whether they are approaching solution or whether a solution has already been arrived at.

But before entering upon the consideration of these matters, I should like to draw your attention to a wider investigation undertaken by the Economic Committee. You will remember that, last year, His Excellency M. Loefgren, the Swedish Delegate, reminded the Second Committee of the resolution which the General Conference on Labour adopted in 1921 with regard to the national and international aspects of the great problem of *unemployment*. The Resolution No. VI which the 1922 Assembly adopted in this connection resulted in an exchange of views between the Economic Committee and the International Labour Office. The conviction was felt on both sides that unemployment could only be attributed to the present economic crisis. In these circumstances the Economic Committee considered it advisable to undertake an *investigation into the main causes of this crisis*. I feel that we can but congratulate the Economic Committee on this decision, since it would seem to answer to a need to which the pressing anxiety engendered by the present state of the world has given rise. I cannot refrain from expressing the hope that the investigation undertaken by the Economic Committee into the various aspects of the present crisis will prove fruitful, not only as regards the problem of unemployment, but also as regards international economic life in general (Draft Resolution No. 9).

Turning to the various questions which were already on the agenda last year, I notice that the problems of "*dumping*" and *differential prices* are still under consideration.

With regard to the problems connected with that important question, the equitable treatment of commerce, I would observe that an *International Conference on Customs Formalities* is to take place in a few weeks' time at Geneva. This Conference will consider the problem of the exercise of unfair discrimination against foreign goods and certain questions relating to certificates of origin, and in a general way will endeavour to simplify all regulations connected with Customs control, without touching upon problems connected with the Customs or commercial policy of the various States. In regard to this Conference, the Fifth International American Conference, at its session held last spring at Santiago, expressed the unanimous recommendation that the greatest possible number of States should send representatives, and the Second Committee has warmly concurred in this decision (Draft Resolution No. 4).

I have already observed that, as regards the *treatment of foreign nationals and undertakings*, the Council has adopted a recommendation which might perhaps eventually lead to the conventional regulation of this important question, which up to now has been dealt with mainly in commercial treaties (Draft Resolution No. 5).

With regard to the question of *unfair competition*, a meeting of experts will be held next spring, with a view to drawing up a draft convention for ensuring the suppression of certain forms of unfair competition which the provisions of the Conventions at present in force for the protection of industrial property do not make it possible to deal with. In this connection, I would like to remind you that the Venezuelan Delegate to the third Assembly, His Excellency M. Zumeta, called the attention of members to the harm done to honest trade by the manufacturing and selling of products in a manner which, although not in contravention of the regulations governing trademarks and patents, is nevertheless in the nature of fraud and misleads persons as to the real character of the products. While recognising the importance of this form of unfair competition, both the Economic Committee and the Council were of opinion that its repression falls more within the sphere of national law. The Committee proposes Resolution No. 6 on this point.

For a long time past, commercial circles and, in particular, the International Chamber of Commerce have been impatiently waiting for those States whose legislation or jurisprudence still opposes the recognition of *arbitration clauses inserted in commercial contracts* to adopt the measures necessary for ensuring the recognition in their countries of the validity of agreements to submit present or future differences to arbitration. The efforts of the Economic Committee in this direction were supported by the Genoa Conference in 1922 and by Resolution V of the third Assembly, and on April 18th last the Council decided to submit to the present Assembly a draft protocol regarding arbitration clauses, with the text of which you are acquainted. This text, prepared by the Economic Committee with the collaboration of a Committee of Jurists, has been subjected to slight changes by the Second Committee, which have, however, left the form of the draft intact, such as it was submitted to us by the Council (see Appendix).

With your permission, I will make a few observations on this project. As I have already said, the important and, indeed, the only aim of the project is to make it impossible in future for

the legislation and jurisprudence of the Contracting States to stand in the way of the efficacy of arbitration agreements, especially in commercial matters and between parties living in different Contracting States, even when the arbitration takes place in a country other than those to whose jurisdiction the parties to the contract are subject (Article 1). In consequence, the Contracting States must ensure the execution by their authorities and in accordance with the provisions of their national laws of arbitral awards made in their own territory (Article 3). A further consequence is that the tribunals of the Contracting States, on being seized of a dispute regarding a contract including an arbitration agreement, whether referring to present or future differences, which is valid in virtue of Article 1 and capable of being carried into effect, should refer the parties, on the application of either of them, to the decision of the arbitrators (Article 4). Paragraph 2 of Article 4 deals with cases in which the law of a Contracting State would permit its tribunals, after referring the difference to arbitration, to resume control of the matter, in case the agreement or the arbitration cannot proceed or become inoperative. Article 2 deals with arbitral procedure, including the constitution of the arbitral tribunal; this procedure is governed by the will of the parties and the law of the country in whose territory the arbitration takes place, it being understood that the will of the parties should not be derogatory to the imperative provisions of the law of the country. Articles 5 to 8 contain protocol conditions.

It follows from the above that all questions of private international law, including those which concern the enforcement of arbitral awards in a contracting country other than that in which the award was made, remain unaffected, and that nothing in the present state of affairs has been changed. The project is not intended to resolve these questions, which are of great interest in themselves, and which might be the subject of future agreements.

The Second Committee proposes that you should adopt Draft Resolution No. 3 on this important subject.

An investigation which was carried out by four specially well-qualified experts, M. Josephus Jitta (Netherlands), Sir Mackenzie D. Chalmers, K.C.B. (Great Britain), M. Franz Klein (Austria), and M. Lyon-Caen (France), led the Economic Committee to feel that the work undertaken at The Hague with a view to the unification of the law of *bills of exchange* and *promissory notes* should be continued as soon as conditions might make it possible, in spite of the great or small divergencies which still exist in this connection in national legal systems (Draft Resolution No. 7).

The study of the *unification of economic statistical methods* is being carried on by the provisional Committee on Statistical Methodology, which includes among its members representatives of the Economic Committee, the International Labour Office and the International Statistical Institute. The resolutions finally adopted by this provisional Committee will first be examined by the International Statistical Institute at its next session at Brussels and then referred to the Economic Committee, which, before reporting to the Council, will examine them, in consultation with the principal organisations concerned—in particular, the International Agricultural Institute at Rome, the International Chamber of Commerce and the Institut international du Commerce at Brussels (Draft Resolution No. 7).

I cannot conclude, Gentlemen, without drawing your attention to the usefulness of the *documents published by the Secretariat of the League*, in pursuance of the resolutions of the Second Assembly, for the purpose of giving information as to how far the various Governments have been able to give effect to the Resolutions of the Brussels Conference. The four volumes which have been published provide complete documentary information as to the economic situation and the economic policy of the different countries. I should like, at the same time, to refer to the various other publications of an economic character which have been prepared by the Economic and Financial Organisation; these publications are of great value and are designed to keep the public informed of the changes in the economic situation of the world (Draft Resolution No. 10).

The Japanese Delegate, His Excellency Baron Adatci, has submitted to the Committee the following remarks on a certain number of questions.

I.

The Japanese Delegation greatly appreciates the splendid work accomplished by the Economic and Financial Commission, and has considered with much pleasure the programme drawn up by the Commission with regard to equitable treatment of foreigners and foreign undertakings in commercial matters. It is well aware that the Commission in no way neglects the very important problem of foreign co-operation in the development of a country's natural riches. In its report to the Assembly last year, this question was not considered ripe for a decision. We are, however, confronted with a vital problem which is of great importance in the development and perfecting of international commerce. That is why we venture to suggest that the newly constituted Commission, as recently strengthened, should seriously consider this important problem, which is one of the practicable applications of the fundamental principle of equitable commercial treatment as laid down in Article 23 of the Covenant.

II.

In its recommendations, the Commission has up to the present confined itself principally to the investigation of the treatment of foreigners and of foreign undertakings, from the point of view of taxes and dues. In the opinion of the Japanese Delegation, it is likewise essential that the general commercial and industrial facilities to be granted to foreigners by the various Members of the League should be taken into consideration, and that the point as to whether foreigners should enjoy the same treatment as nationals should be discussed.

III.

In the present recommendations mention is made of "States Members of the League". This specification "States" occasionally unjustly limits the scope of stipulations which might give rise, in certain cases, to very delicate problems, hence the Japanese Delegation ventures to suggest the deletion of the word "State", leaving only the term "Member".

IV.

Following the custom now existing in certain regions, coast navigation sometimes includes navigation between a country and its distant possessions, divided by the high seas — a high road common to all humanity. This appears to the Japanese Delegation to be little in harmony with the general spirit of equitable treatment of international commerce. The Delegation expresses the hope that the Commission will continue to consider this question, by getting into touch with the Advisory and Technical Committee for Communications and Transport for the purpose, and by basing its work in this connection on the investigations which have been carried out up to the present.

V.

The Japanese Delegation would have been happy to see these questions dealt with in the report of the Second Committee of the Assembly; owing to lack of time, however, the delegation confines itself to expressing the firm hope that the Economic and Financial Commission, lately strengthened by the Council, will when convenient, consider in due course the question cited above together with the many other questions which will claim its attention.

With regard to this interesting communication, the Second Committee proposes for your adoption Resolution No. 8.

The Second Committee unanimously congratulated the different bodies of the Economic and Financial Organisation, so able presided over by MM. Ador, Brunet and Janssen, as well as the Secretariat of the Organisation, supervised with such great competence by Sir Arthur Salter.

Hence the Committee has noted with great satisfaction the decision of the Council to prolong until further notice the term of office of the Economic and Financial Commission.

On this subject, the Committee submits Resolution No. 11 for the approval of the Assembly.

Appendice au rapport sur les travaux
du Comité économique.

PROTÔCOLE RELATIF
AUX CLAUSES D'ARBITRAGE.

Les soussignés, dûment autorisés, déclarent accepter, au nom des pays qu'ils représentent, les dispositions suivantes :

1. Chacun des Etats contractants reconnaît la validité, entre parties soumises respectivement à la juridiction d'Etats contractants différents, du compromis ainsi que de la clause compromissoire par laquelle les parties à un contrat s'obligent, en matière commerciale ou en toute autre matière susceptible d'être réglée par voie d'arbitrage par compromis, à soumettre en tout ou partie les différends qui peuvent surgir dudit contrat, à un arbitrage, même si ledit arbitrage doit avoir lieu dans un pays autre que celui à la juridiction duquel est soumise chacune des parties au contrat.

Chaque Etat contractant se réserve la liberté de restreindre l'engagement visé ci-dessus aux contrats qui sont considérés comme commerciaux par son droit national. L'Etat contractant qui fera usage de cette faculté en avisera le Secrétaire général de la Société des Nations aux fins de communication aux autres Etats contractants.

2. La procédure de l'arbitrage, y compris la constitution du tribunal arbitral, est réglée par la volonté des parties et par la loi du pays sur le territoire duquel l'arbitrage a lieu.

Les Etats contractants s'engagent à faciliter les actes de procédure qui doivent intervenir sur leur territoire, conformément aux dispositions réglant, d'après leur législation, la procédure d'arbitrage par compromis.

3. Tout Etat contractant s'engage à assurer l'exécution, par ses autorités et conformément aux dispositions de sa loi nationale, des sentences arbitrales rendues sur son territoire en vertu des articles précédents.

Appendix to the Report on the Work of
the Economic Committee.

PROTOCOL
ON ARBITRATION CLAUSES.

The undersigned, being duly authorised, declare that they accept, on behalf of the countries which they represent, the following provisions:

1. Each of the Contracting States recognises the validity of an agreement whether relating to existing or future differences between parties subject respectively to the jurisdiction of different Contracting States by which the parties to a contract agree to submit to arbitration all or any differences that may arise in connection with such contract relating to commercial matters or to any other matter capable of settlement by arbitration, whether or not the arbitration is to take place in a country to whose jurisdiction none of the parties is subject.

Each Contracting State reserves the right to limit the obligation mentioned above to contracts which are considered as commercial under its national law. Any Contracting State which avails itself of this right will notify the Secretary-General of the League of Nations, in order that the other Contracting States may be so informed.

2. The arbitral procedure, including the constitution of the Arbitral Tribunal, shall be governed by the will of the parties and by the law of the country in whose territory the arbitration takes place.

The Contracting States agree to facilitate all steps in the procedure which require to be taken in their own territories, in accordance with the provisions of their law governing arbitral procedure applicable to existing differences.

3. Each Contracting State undertakes to ensure the execution by its authorities and in accordance with the provisions of its national laws of arbitral awards made in its own territory under the preceding articles.

4. Les tribunaux des Etats contractants, saisis d'un litige relatif à un contrat conclu entre personnes visées à l'article premier et comportant un compromis ou une clause compromissoire valable en vertu dudit article et susceptible d'être mis en application, renverront les intéressés, à la demande de l'un d'eux, au jugement des arbitres.

Ce renvoi ne préjudicie pas à la compétence des tribunaux au cas où, pour un motif quelconque, le compromis, la clause compromissoire ou l'arbitrage sont devenus caducs ou inopérants.

5. Le présent Protocole, qui restera ouvert à la signature de tous les Etats, sera ratifié. Les ratifications seront déposées aussitôt que possible auprès du Secrétaire général de la Société des Nations, qui en notifiera le dépôt à tous les Etats signataires.

6. Le présent Protocole entrera en vigueur aussitôt que deux ratifications auront été déposées. Ultérieurement, ce Protocole entrera en vigueur, pour chaque Etat contractant, un mois après la notification, par le Secrétaire général de la Société, du dépôt de sa ratification.

7. Le présent Protocole pourra être dénoncé par tout Etat contractant moyennant préavis d'un an. La dénonciation sera effectuée par une notification adressée au Secrétaire général de la Société des Nations. Celui-ci transmettra immédiatement à tous les autres Etats signataires des exemplaires de cette notification, en indiquant la date de réception. La dénonciation prendra effet un an après la date de notification au Secrétaire général. Elle ne sera valable que pour l'Etat contractant qui l'aura notifiée.

8. Les Etats contractants seront libres de déclarer que leur acceptation du présent Protocole ne s'étend pas à l'ensemble ou à une partie des territoires ci-après mentionnés, à savoir : colonies, possessions ou territoires d'outre-mer, protectorats ou territoires sur lesquels ils exercent un mandat.

Ces Etats pourront, par la suite, adhérer au Protocole séparément, pour l'un quelconque des territoires ainsi exclus. Les adhésions seront communiquées aussitôt que possible au Secrétaire général de la Société des Nations, qui les notifiera à tous les Etats signataires et elles prendront effet un mois après leur notification par le Secrétaire général à tous les Etats signataires.

4. The Tribunals of the Contracting Parties, on being seized of a dispute regarding a contract made between persons to whom Article 1 applies and including an Arbitration Agreement whether referring to present or future differences which is valid in virtue of the said article and capable of being carried into effect, shall refer the Parties on the application of either of them to the decision of the Arbitrators.

Such reference shall not prejudice the competence of the judicial tribunals in case the agreement or the arbitration cannot proceed or becomes inoperative.

5. The present Protocol, which shall remain open for signature by all States, shall be ratified. The ratifications shall be deposited as soon as possible with the Secretary-General of the League of Nations, who shall notify such deposit to all the Signatory States.

6. The present Protocol will come into force as soon as two ratifications have been deposited. Thereafter it will take effect, in the case of each Contracting State, one month after the notification by the Secretary-General of the deposit of its ratification.

7. The present Protocol may be denounced by any Contracting State on giving one year's notice. Denunciation shall be effected by a notification addressed to the Secretary-General of the League, who will immediately transmit copies of such notification to all the other Signatory States and inform them of the date on which it was received. The denunciation shall take effect one year after the date on which it was notified to the Secretary-General, and shall operate only in respect of the notifying State.

8. The Contracting States may declare that their acceptance of the present Protocol does not include any or all of the under-mentioned territories: that is to say their colonies, overseas possessions or territories, protectorates or the territories over which they exercise a mandate.

The said States may subsequently adhere separately on behalf of any territory thus excluded. The Secretary-General of the League of Nations shall be informed as soon as possible of such adhesions. He shall notify such adhesions to all Signatory States. They will take effect one month after the notification by the Secretary-General to all Signatory States.

• ANNEX 11.

PROPOSAL PRESENTED BY THE FINNISH DELEGATION
CONCERNING EASTERN CARELIA.

REPORT SUBMITTED BY THE SIXTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: Jonkheer LOUDON, Delegate of the Netherlands.

The Sixth Committee has the honour to communicate herewith to the Assembly the report of the Sub-Committee appointed to examine the above question.

The Committee has adopted the conclusion of this report, which it now submits to the Assembly. The Sub-Committee met on September 18th, 1923.

The Finnish Delegation communicated an historical summary to the Sub-Committee on the question of Eastern Carelia. The Carelian population, taking its stand more especially on a Decree of the Council of the Peoples' Commissaries entitled "Declaration of the Rights of the Peoples of Russia", dated November 3rd, 1917, has hoped to obtain extensive autonomy. The first two articles of this Declaration are worded as follows:—

"The Council of the Peoples' Commissaries has decided to take the following principles as the basis of its conduct towards Russian nationalities:

"(1) The equality and the sovereignty of the peoples of Russia;

"(2) The right of the Russian peoples to enjoy self-determination, until and including separation and the establishment of an independent state."

On October 14th, 1920, a Treaty of Peace was signed at Dorpat between the Finnish Republic and the Russian Socialist Federal Soviet Republic; the Finnish Delegation, being interested in the fate of a population of similar race, obtained the inclusion in Article 10 of the Treaty of a formal declaration concerning the autonomous territory of Eastern Carelia, "which is to include the Carelian population of the Governments of Archangel and Olonetz, and which shall enjoy the national right of self-determination."

The text of the Treaty of Dorpat was supplemented by the statement of the Russian Delegation relevant to the said Treaty and defining the rights granted to the population of this region.

The Treaty of Dorpat was registered at the Secretariat of the League of Nations, in conformity with Article 18 of the Covenant, on March 5th, 1921.

On November 26th, 1921, the Finnish Government drew the attention of the Council of the League of Nations to the situation created in Eastern Carelia by the non-application of the provisions of the Treaty of Dorpat.

In January 1922, the Finnish Government requested the Council to apply the provisions of Article 17 to the dispute between Finland and Soviet Russia. Subsequently, the Governments of Esthonia, Latvia, Lithuania and Poland also interested themselves in the question and informed the League of Nations to that effect. The Council has discussed this question several times; the Finnish Delegation drew attention to the fact that the Council has asked for an advisory opinion from the Permanent Court of International Justice on the nature, from an international point of view, of the provisions of the Treaty of Dorpat and the accompanying declarations. The Court held that it could not express an opinion, in view of the fact that a condition essential to the correct procedure was lacking, viz., the consent or collaboration of the Russian Government.

The Sub-Committee, after having heard the Finnish Delegation, and after having considered the documents, adopted the following resolution, which it proposes that the Committee should submit to the Assembly:

"The Assembly of the League of Nations,

"Recognising the importance of the question of Eastern Carelia:

"Notes the declaration of the Finnish Delegation that the Finnish Government, in the absence of any decision or any contrary opinion pronounced by an international jurisdiction, maintains its right to consider the clauses of the Treaty of Dorpat and the supplementary declarations relating to the Statute of Eastern Carelia as agreements of an international order;

"And requests the Council to continue to collect all useful information relating to this question with a view to seeking any satisfactory solution rendered possible by subsequent events."

A. 85. 1923.

ANNEX 12,

INTERPRETATION OF ARTICLE 10 OF THE COVENANT.

REPORT SUBMITTED BY THE FIRST COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. ROLIN, Substitute Delegate of Belgium.

As a result of its examination of the Canadian proposal to make certain amendments in Article 10 of the Covenant, the First Committee proposes that the Assembly adopt the following resolution:

“The Assembly, desirous of defining the scope of the obligations contained in Article 10 of the Covenant so far as regards the points raised by the Canadian delegation, adopts the following resolution:

“It is in conformity with the spirit of Article 10 that, in the event of the Council considering it to be its duty to recommend the application of military measures in consequence of an aggression or danger or threat of aggression, the Council shall be bound to take account, more particularly, of the geographical situation and of the special conditions of each State.

“It is for the constitutional authorities of each Member to decide, in reference to the obligation of preserving the independence and the integrity of the territory of Members, in what degree the Member is bound to assure the execution of this obligation by employment of its military forces.

“The recommendation made by the Council shall be regarded as being of the highest importance and shall be taken into consideration by all the Members of the League with the desire to execute their engagements in good faith.”

A. 91. 1923. o

ANNEX 13.

AMENDMENTS TO THE COVENANT.

REPORT SUBMITTED BY THE FIRST COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. MOTTA, Delegate of Switzerland.

The First Committee has considered the questions relating to the amendments to the Covenant voted by the second Assembly, which have been referred to it by the resolution adopted by the Assembly on September 17th on the motion of Sir James Allen, Delegate of New Zealand.

The Committee recommends that the Assembly adopt the following resolution:

"Whereas, under the terms of Article 26 of the Covenant, the entry into force of amendments to the Covenant is conditional upon their ratification by the Members of the League whose representatives compose the Council and by a majority of the Members of the League whose representatives compose the Assembly;

"Whereas, for the entry into force of the amendments voted by the second Assembly to Articles 4, 6, 12, 13, 15, and 26, there is now lacking only a very small number of the ratifications required by the Covenant;

"Whereas, according to information obtained, the requisite constitutional measures are in fair way of being completed in those States whose ratifications are still necessary;

"Whereas, on the other hand, it would be desirable in the interest of the authority of the League of Nations that the amendments which have been voted should obtain a larger number of ratifications:

"The Assembly requests the Secretary-General to enter into communication with the delegations of all the Members of the League which have not yet deposited ratifications to the amendments referred to in the second paragraph above and to request them to intervene with their Governments in order to induce the latter to expedite, if possible, the ratification of the said amendments and to express, if they think proper to do so, their intention with regard to ratification of the amendments to Article 16."

ANNEX 14.

PROTECTION OF MINORITIES.

REPORT SUBMITTED BY THE SIXTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : Professor Gilbert MURRAY, Delegate of South Africa.

At its meeting on September 22nd, 1923, the Assembly adopted a resolution which I had submitted to it and which was worded as follows :

“The Assembly refers to the Sixth Committee, for consideration, the question of the procedure in dealing with the protection of minorities mentioned in paragraph IV of Chapter 8 of the Supplementary Report on the work of the Council and the Secretariat.”

The Sixth Committee considered this question at its meeting on September 25th. The Committee was good enough to invite me to be present on that occasion. I drew the Committee's attention to the proposals concerning the procedure to be followed in matters regarding the protection of minorities, which are contained in the Notes addressed to the League of Nations by the Polish and Czechoslovak Governments; these Notes are mentioned in the Supplementary Report on the work of the Council and of the Secretariat.

At its meeting on September 5th, 1923, the Council, after having considered these proposals, defined various points and modified to some extent the method of procedure in force until now.

An interesting discussion took place in the Sixth Committee, in which the representatives of Poland, Roumania, Bulgaria, Latvia, Esthonia and Hungary took part, as did also the Chairman, M. Hymans, who, in his capacity as a Member of the Council, was good enough to furnish certain information regarding the scope of the resolution of the Council.

The Committee did not discuss the various clauses of the Council resolution of September 5th, but confined itself to the consideration of one particular point, namely, the clause of the resolution according to which the communication to the Members of the League of minorities petitions and observations (should there be any) by the Government concerned, in conformity with the resolution dated June 27th, 1921, shall be restricted to the Members of the Council.

In this connection the Committee desired to recall the resolution adopted by the third Assembly on September 21st, 1922, paragraph 5, which is worded as follows :

“The Secretariat, which has the duty of collecting information concerning the manner in which the Minorities Treaties are carried out, should not only assist the Council in the study of complaints concerning infractions of these Treaties, but should also assist the Council in ascertaining in what manner the persons belonging to the racial, linguistic, or religious minorities fulfil their duties towards their States. The information thus collected might be placed at the disposal of the States Members of the League of Nations if they so desire.”

The Committee unanimously agreed that this resolution was applicable to the minorities petitions which, under the terms of the Council resolution of September 5th, 1923, shall be communicated to the Members of the Council. The Committee therefore decided to recommend to the Assembly to adopt the following resolution :

“Under the resolution of the Council dated September 5th, 1923, the communication of minorities petitions shall be restricted to the Members of the Council. However, by virtue of paragraph 5 of the Assembly Resolution dated September 21st, 1922, any Government Member of the League can make a request to the Secretariat for petitions (with the observations of the Government concerned) which have been communicated to the Council to be communicated also to that Government.”

ANNEX 15.

THE QUESTION OF CONTRIBUTIONS STILL UNPAID.

REPORT SUBMITTED BY THE FOURTH COMMITTEE TO THE ASSEMBLY.

(*Rapporteur*: M. Herluf ZAHLE, Delegate of Denmark.)

The Fourth Committee instructed a Sub-Committee to consider the question of unpaid contributions for all financial periods of the League previous to December 31st, 1922. This Sub-Committee consisted of:—

M. Herluf ZAHLE (Denmark);
Sir Neville R. HOWSE (Australia);
M. Cristobal BOTELLA (Spain);
M. Raoul M. AMADOR (Panama);
H.H. Prince CHAROON (Siam);
M. Jonas Eliel LOEFGREN (Sweden).

M. Herluf ZAHLE was appointed Chairman and Rapporteur.

The Sub-Committee submitted a report to the Committee. The Committee accepted this report and suggested that it should be adopted by the Assembly.

In view of the fact that the delicate question of contributions in arrears could not be settled without the friendly assistance of the delegations of those countries the payment of whose contributions is in arrears, the Sub-Committee ventured to apply to each of those delegations, requesting it to appoint a representative to inform the Sub-Committee of the reasons for the delay. The Committee desires to thank the various delegations for the readiness with which they responded to this request.

The countries whose contributions are in arrears may be classified in three distinct groups. The first group consists of States which base their claim to be released from the obligations to pay their arrears on grounds of law or equity. The second group consists of countries whose exceptional position necessitates a reduction in the sums still outstanding. The last group includes States whose payment of contributions has been delayed by more or less serious temporary financial difficulties, or by differences due to the rate of exchange, but whose position did not call for any reduction in the amount of their arrears.

After careful consideration of the reasons brought forward by the States in the first group, the Committee decided that it was undesirable to press for the payment of the arrears due by them. As regards countries in the second group, the third Assembly requested the Secretary-General to propose that the Supervisory Commission should put forward the solution which appeared best suited to the exceptional position of such countries. The solution proposed by the Secretary-General consisted in applying the reduced 1923 scale to the arrears of these States, the payments to be spread out over a number of years. The Committee approved this proposal and also the extension of the arrangement so as to include Paraguay and Austria. The representatives of the majority of the States belonging to the last group pointed out that their countries intended to discharge their obligations to the League of Nations as soon as possible.

The Committee desires to point out that the arrangements which it recommended are in conformity with the proposal adopted by the third Assembly in regard to this matter. Moreover, it is certainly necessary, if the finances of the League are to be restored to a healthy condition, that sums which are clearly uncollectable should be withdrawn from the balance sheet of the League, since it can only convey a false idea of the financial position of the League to consider, as part of the assets, amounts which will never be recovered.

The Committee therefore recommends that the sums mentioned below should be struck out of the accounts of the League :

	Total payable on Sept. 1st, 1923	Total after pro- posed reduction of sums owing	Loss to the League
	Gold Francs	Gold Francs	Gold Francs
SALVADOR	344,352.34	60,850.—	283,502.34
NICARAGUA	309,120.—	55,326.58	253,793.42
HONDURAS	309,120.—	55,326.58	253,793.42
GUATEMALA	309,120.—	25,618.—	283,502.—
COSTA RICA	246,360.—	44,622.81	201,737.19
PARAGUAY	309,120.—	25,618.—	283,502.—
AUSTRIA	396,335.76	30,359.—	365,976.76*
SOUTH AFRICA	1,286,642.23	607,695.23	678,947.—
POLAND	404,534.—		404,534.—
	3,914,704.33	905,416.20	3,009,288.13

The Sub-Committee is of opinion that the Supervisory Commission and the Auditor should be left to select the best method of entering in the books of the League the successive sums to be collected out of the amounts due after the proposed reduction of arrears.

* * *

The Committee proposes therefore that the Assembly should adopt the following resolution :

“ The Assembly approves the recommendations of the Fourth Committee on the question of unpaid contributions in respect of the periods ending December 31st, 1922, and directs that the accounts of the League should be modified accordingly ”

ANNEX 16.

THE QUESTION OF THE ERECTION OF A CONFERENCE HALL ON THE
GROUND PRESENTED TO THE LEAGUE OF NATIONS BY THE
REPUBLIC AND CANTON OF GENEVA AND BY THE CITY OF GENEVA.

REPORT SUBMITTED BY THE FOURTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: Jonkheer VAN EYSINGA, Delegate of the Netherlands.

All the Delegations will doubtless agree that the ground so generously presented by the Republic and Canton of Geneva and by the City of Geneva ought to be prepared as soon as possible for the purpose for which it was given, that is, the erection of a Conference Hall. A further consideration is that the Salle de la Réformation and the Kursaal present inconveniences known to all.

If the Committee, nevertheless, does not propose forthwith to adopt a definitive resolution for the erection of a Conference Hall, it is because, in its opinion, there are financial reasons against such action for the present. The League of Nations is obliged to pay until 1926 annual instalments of one million Swiss francs on the purchase price of the Hôtel National, and during the following years a sum estimated at about three million Swiss francs will have to be paid for the new building intended for the International Labour Office. Moreover, the Committee considers that the financial position of the League of Nations does not at the present moment warrant its assuming new financial burdens. In fact, strict economy is imperative. In this connection, it must not be forgotten that the question of the allocation of expenses is still unsettled and that the payment of contributions is not yet entirely satisfactory. The Committee has also taken into consideration the possibility of a fall in building costs in the near future, a consideration of great importance to which due regard must be paid.

In these circumstances, the Committee feels compelled to recommend that the fourth Assembly should postpone until the fifth Assembly the question of the erection of a Conference Hall.

In his explanatory note, the architect, M. Camoletti, pointed out that the foundations of the building will be expensive because the site (the old shore of the Lake) is not altogether suitable, and every possible precaution must therefore be taken to avoid subsequent subsidence. The Committee is of the opinion that it would be desirable to ask M. Camoletti for a detailed report on the matter, based on borings which might be made. After receiving this report on an aspect of the question which might have considerable influence on the building methods to be employed, and consequently on the cost, the Secretary-General might submit it to one or two experts — for example, to the architects who built the Hôtel National and the other large building adjacent to it in the Rue du Buet.

It would be desirable also to submit to the fifth Assembly a detailed report on the accommodation to be provided in the new building.

Before expressing its opinion, the Sub-Committee of the Fourth Committee entrusted with the detailed study of the question heard the Secretary-General and the Financial Director; it also consulted the architect, M. Camoletti.

The foregoing considerations have led the Fourth Committee to submit the following resolution to the Assembly:

"The fourth Assembly, considering that the land so generously presented to the League of Nations by the Republic and Canton of Geneva and by the City of Geneva ought to be prepared as soon as possible for the purpose for which it was given: that is, the erection of a Conference Hall, and recognising further that the use of the Salle de la Réformation and the Kursaal is attended with very serious inconveniences, is of the opinion that the financial position of the League of Nations does not at present permit it to incur new expenditure on a large scale and necessitates the *postponement* of the question of the erection of a Conference Hall until the Assembly of 1924.

"The Assembly requests the Council to continue the work of preparation in the manner indicated in the Fourth Committee's report."

ANNEX 17.

MEMORANDUM CONCERNING INTERNATIONAL ARRANGEMENTS
FOR LEGAL ASSISTANCE FOR THE POOR.

1. The organisation of agencies for legal assistance for the poor.
2. The international aspect of the work.

I. ORGANISATION OF AGENCIES FOR LEGAL ASSISTANCE FOR THE POOR.

These agencies, having a common purpose, exist in most countries, though in somewhat varying forms. The identical object is to afford the assistance of justice to those who are too poor and helpless to employ the usual assistance of lawyers. The financial support is by private subscriptions or by public subvention; sometimes, the local Association of the Bar contributes money.

The staff consists of one or more lawyers, on salary, and one or more investigators skilled in charitable enterprises. All complaints are first investigated impartially and conciliated if possible; litigation is resorted to in only a small percentage of all complaints. Besides the benefit conferred on individuals by securing relief for their distress, the general result is to establish public confidence in justice for the poor as well as for the rich, and to allay the causes of social unrest.

The following countries are mentioned merely as illustrations of the wide spread of such agencies:

(a) In Norway and Sweden, the work is done by groups of lawyers and law students, and supported by municipal or State funds.

(b) In England, the agency has been made semi-official by legislation of recent years.

(c) In France, there is a private society in Paris, having an office entitled "Droit Journalier", which does similar work.

(d) In Denmark, a private society in Copenhagen, with aid of law students, does the same work.

(e) In Italy, a group of lawyers in Rome performs it.

(f) In Germany, numerous private societies exist in various cities.

(g) In the United States of America, such agencies exist in most of the large cities, for the past 25 years. In New York, for example, 40,000 cases are attended to each year; in Chicago, 12,000 each year, and other cities proportionally. In some cities a municipal office is supported by public funds.

In June 1923, at a national conference held in Cleveland, Ohio, a National Association was formed; the honorary president of this association is William Howard Taft, Chief Justice of the United States Supreme Court.

This association has forwarded to the League of Nations, through Mr. John H. Wigmore, member of the Committee on Intellectual Co-operation, and a vice-president of the above association, a request that the Council of the League call an international conference of the agencies in all countries.

In the United States, the Carnegie Foundation has paid the expenses of preparing a large book (in 1916) by Mr. Reginald Heber Smith, of Boston, entitled "Justice and the Poor", surveying exhaustively the American conditions and briefly describing European methods. The Carnegie Foundation has again, in 1923, granted a sum of 25,000 dollars to effect the purposes of this association. Documents fully sustaining the foregoing summary statement are to be submitted to the Secretariat by Mr. Reginald Heber Smith, Secretary of the American National Committee on Legal Aid Work, 60 State Street, Boston, Massachusetts, U.S.A.

2. INTERNATIONAL ASPECT OF THE WORK.

Experience has shown, especially in American States, the international aspect of such service. Here are a few illustrations:

(a) *Domestic Troubles*.—Husbands desert their families and go to another jurisdiction; thus it is necessary to co-operate with the agency in the State into which they have fled, in order to compel them to furnish lawful support. For example, an Englishman came to Chicago, abandoning a family in London; but after long efforts by the Chicago agency, the man was reconciled to his family and sent for them to come to Chicago, where they were happily reunited. Thus, a co-operation of these agencies becomes necessary.

(b) *Debtors*.—Men go away to another State, leaving a just debt unpaid, and the creditor is too poor to retain a lawyer, although the debtor in his new home may have become prosperous and able to pay. Such agencies, by exchange of services, can here secure justice.

(c) *Decedents' Estates*.—A man dies in a far State, leaving property, but his relatives in the other State are too ignorant or too poor to make the proper claim in the courts where the estate is situated. This happens, naturally, very often in the case of immigrants to the United States, and illustrates how useful these agencies can be to families left behind in Scandinavia, Italy, Hungary, the Kingdom of the Serbs, Croats and Slovenes, Russia, and other European regions. In international relations, it is obvious that annually enormous values of property are lost to relatives in Europe because of inability to recover estates of immigrants deceased in the United States.

(d) *Frauds*.—Several common forms of fraud or oppression — particularly usurious money-lending, — are practised by well-organised groups, who operate in different States and who run away or evade justice in one State and must be followed into the courts of another State. Here a correspondence between the agencies in different States becomes necessary.

The foregoing instances illustrate that there are important international aspects of this work. In all these aspects, it becomes necessary: (1) to know the law of the other States; (2) to have definite relations with a similar agency in the other State, so as to make investigations and to undertake legal proceedings. At present, when international cases arise, the only possibility for the person needing assistance is to send an enquiry to the foreign chief of police of a city, or to a court officer, or to a lawyer; but naturally, the enquiring agency does not know the correct title or name of such officer, nor whether he is trustworthy; nor can it authenticate easily its own right to make the enquiry; nor does the foreign officer, amidst the press of other duties, feel bound to give earnest attention. Thus, such attempts are constantly rendered futile.

Long experience in such inter-State relations has demonstrated the importance of systematic co-operation between such agencies. Hence the recent formation in America of the above-named National Association, embracing agencies scattered through almost all the fifty American States; it is thus virtually an Inter-State Association, and typifies what can and ought to be done by a wider and genuinely International Association.

ANNEX 18.

TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: Mlle. BONNEVIE, Delegate of Norway.

The Advisory Committee on Traffic in Opium and other Dangerous Drugs has now been at work for two years. Last year it laid before the Assembly a report of the preparatory work already performed, and of its plans for further progress. This year we have before us again two reports showing how these plans are working, and proving also the necessity of proposing further steps to be taken by the Council as well as by the Governments in order to bring about the full co-operation between all nations without which, as expressed by the Advisory Committee (Document C. 37. M. 91. 1923): "its efforts must be nullified and the Convention must break down".

The two sessions held by the Advisory Committee this year have been of particular importance, in view of the fact that the Government of the United States of America had, on the invitation of the Council, sent a special Delegation to co-operate with the Committee. The following proposals have, by this delegation, been submitted to the Advisory Committee:

1. "If the purpose of the Hague Opium Convention is to be achieved according to its spirit and true intent, it must be recognised that the use of opium products for other than medicinal and scientific purposes is an abuse and not legitimate."
2. "In order to prevent the abuse of these drugs, it is necessary to exercise the control of the production of raw opium in such a manner that there will be no surplus available for non-medicinal and non-scientific purposes."

These proposals were, after a very full examination, accepted by the Committee and recommended to the League of Nations as embodying the general principles on which the International Convention of 1912 is based and by which the Governments should be guided in dealing with the abuse of dangerous drugs.

In accepting these proposals, the representatives of the Governments of France, Germany, Great Britain, Japan, the Netherlands, Portugal and Siam, made the following reservation:

"The use of prepared opium and the production, export, and import of raw opium for that purpose are legitimate so long as that use is subject to and in accordance with the provisions of Chapter II of the Convention."

The representative of the Government of India also accepted the American proposals, with the following reservation:

"The use of raw opium, according to the established practice in India, and its production for such use, are not illegitimate under the Convention."

India concurs also in the reservation made by the other countries mentioned above.

In this connection may also be mentioned the declaration made by Lord Hardinge, Delegate of India, at the twelfth meeting of the Fifth Committee with regard to the control of the sale and consumption of opium in India:

"In consequence of observations that have reached me in connection with my remarks the other day on the subject of opium, I would like to make the following statement:

"My words on that occasion were: 'Opium is now, and has for three years been, a matter dealt with by the Provincial Governments and in all Provinces, except Assam, it is administered by Indian Ministers'.

"I would like to amplify that statement by saying that the administration of the control of opium in all but one province is in the hands of an Indian Minister and the power to deal with the question rests with bodies which contain an effective majority of members elected by the people. If, therefore, popular demand exists for a modification of the policy hitherto followed, and if a Provincial Council wishes to restrict still further the sale of opium for eating in India or to prohibit the sale of opium except for medical and scientific purposes, it is, in all provinces but one, open to the Indian Minister to initiate legislation in that sense. In Assam, the one province referred to, I understand that the Government has concerted, in consultation with Indian Members of the Legislature, a scheme for further progressive restrictions.

"I would further add that, in the event of any such legislation being initiated in any province, it would undoubtedly receive support from the Government of India."

The co-operation with the United States was continued also in the Fifth Committee, where the same Delegation, as consultative members of the Committee, have taken an interested part in our discussions. This co-operation will, I am sure, be welcomed by all Governments as being of great importance for the success of our fight against the abuse of narcotic drugs.

The Fifth Committee, after having examined the two reports laid before it by the Advisory Committee, considering all the valuable facts therein contained and all the interesting resolutions forming together a practical programme of further action, proposes to the Assembly to express its deep appreciation of the work performed by the Advisory Committee and to adopt its report and resolutions, requesting the Council to take the necessary steps to put these resolutions into effect. (Resolution 1.)

The Fifth Committee has, however, also found it necessary to emphasise some points of great importance for the whole work and in a series of resolutions to propose a special action to be taken:

(a) With regard to the ratification of the Opium Convention of 1912, progress—even if slow—can be reported among the States Members of the League.

A further step forward of great importance is the fact that, by the Treaty of Lausanne, Turkey has now undertaken to adhere to the Convention. In view of the great importance of Turkey as an opium-producing country, the Committee has considered it desirable to recommend that Turkey should be invited by the Council, as soon as she has actually ratified the Convention and put it into force, to send a representative to the Advisory Committee. (Resolution 2.)

(b) The Fifth Committee has learnt from the reports of the Advisory Committee that it is still waiting for the ratification of the Convention by Switzerland which had been expected in consequence of the declaration made last year by M. Ador on behalf of the Swiss Government and mentioned in the report of this Committee to the Assembly. The same is the case also with Persia, although the Persian Delegation has repeatedly recommended to the Government to withdraw its reservation.

The urgent importance to the whole work of such ratification was emphasised in the Fifth Committee by several Delegates, while on the other hand the Delegates of Switzerland and of Persia have both explained, in declarations annexed to the Minutes of the Committee, the reasons which until now have made it difficult for their Governments to ratify the Convention of 1912. In Switzerland the question of ratification of the Opium Convention has raised problems partly juridical and partly economic. The juridical problem concerning the power of the Federal Government in relation to the sovereignty of the cantons has, however, already been solved, while the economic side of the question is still under discussion. In Persia the greatest difficulty consists in finding some lucrative cultivation for the peasants which might replace the cultivation of the poppy. Persia would welcome the calling of an economic conference to study such practical difficulties. Both Delegates have again confirmed the interest and endeavours of their Governments in overcoming such difficulties, and the declaration of M. Ador finishes with an assurance that "the Federal Council is still faithful to the principle expressed in the declaration of last year" and that "its active co-operation in the great task undertaken by the League of Nations in the field of dangerous drugs" will, it is hoped, soon be established.

The importance of ratifications by countries so deeply interested in the production of and trade in opium and other drugs as those just mentioned is clearly evident, the endeavours of the Advisory Committee to bring about a control of production and limit of abuse being more or less hopeless so long as a full co-operation between interested Powers has not been attained. The adherence even of countries which can be counted neither among producers nor among manufacturers of opium, etc., is also of great importance, such countries easily becoming centres of illicit traffic¹.

The Fifth Committee therefore recommends that the Council should, once more, make an appeal to the Governments concerned. (Resolution 3.)

(c) With regard to the system of import certificates, unanimously approved by the Assembly in 1921 and again recommended in 1922, the information has been given that at present twenty States have adopted this system and put it into force, while thirteen other States have accepted the principle. The Advisory Committee regrets, however, that a number of States Members of the League, and Parties to the Opium Convention, have not yet signified their adoption of this system².

A resolution was passed by the Assembly last year, asking the Advisory Committee to examine the question of the measures to be taken towards countries not adopting the import certificate system. The complicated and technical character of the issues involved in the resolution mentioned was examined by the Advisory Committee at its extraordinary meeting in January 1923.

As, however, the adherence of the three important countries, Switzerland, Persia and Turkey, would make the solution of the whole question much easier, and as these countries had all given hopes of their ratification of the Convention at an early date, Switzerland having declared itself willing to adopt also the import certificate system, the Advisory Committee resolved to postpone a final decision in regard to the Assembly's resolution.

¹ The following countries Members of the League have not yet ratified the Opium Convention: *Albania, Argentine, Colombia, Costa Rica, Lithuania, Paraguay, Persia, Switzerland.*

² Amongst such States are: *France, Roumania, Kingdom of the Serbs, Croats and Slovenes.*

In view of the urgency of this matter, the Fifth Committee proposes to the Assembly a resolution in which the Advisory Committee is requested to proceed with its investigations of the question and to report specially to the next Assembly on the whole situation. (Resolution 4.)

(d) During the past year the Advisory Committee has further been engaged in this work of investigating the question of the world's needs of the manufactured drugs for medicinal and scientific uses with a view to the eventual limitation of the productions of those drugs. Much valuable material has been sent to the Committee in annual reports and otherwise; a series of documents now exists for the first time regarding the cultivation of opium in the world (Document O. C. 109), its production in China (Document O. C. 117), the quantities of narcotic drugs considered as necessary by the Governments (Document O. C. 115), the world's requirements of such drugs (Document O. C. 116).

The Committee is, however, still without the statistics of the production of the drugs in France and Holland, and a number of countries have failed to supply the Committee with estimates of the amount of the drugs required for the internal consumption of their countries, as recommended by the third resolution of the Assembly last year. The failure to supply this information creates a great difficulty for the Advisory Committee.

The Delegate of the Netherlands has reminded the Fifth Committee of the declaration, made at an earlier date also by the Netherlands delegate before the Advisory Committee, with regard to the reasons which make it impossible for the Government of that country to publish the statistics of manufacture of morphine and cocaine, so long as other countries parties to the Convention are not yet co-operating in the same manner.

The Delegate of France, on his side, declared that, as soon as possible, the statistics would be sent to the Advisory Committee by the French Government.

(e) A few words must be said as to the position in the Far East. It is satisfactory to note that the efforts made to stop the illicit traffic in the drugs in this part of the world has not been without result and that large seizures have been made by the authorities. The situation appears, however, to remain very grave. In China, the cultivation and sale of opium have increased and it would appear from the latest reports that they are now being carried on to an enormous extent. The smuggling of the manufactured drugs also continues, in spite of the measures taken by the Japanese and other Governments. It will be seen from the fifth report of the Advisory Committee that new and more stringent regulations have been brought into force in Japan and we may perhaps express a hope that the Japanese Government will be able, even in the terrible catastrophe which has fallen upon that country, to maintain the efforts which it has begun to stop this evil.

In accordance with a recommendation made last year by the Advisory Committee with the approval of the Council (July 21st, 1922), the authorities of Japan and China have now, as communicated to the Fifth Committee by the Japanese delegate, entered into negotiations with a view to establishing a mixed Commission of Control of the traffic in opium and other drugs.

(f) The Fifth Committee has learned from the reports of the Advisory Committee that it has found the time ripe for taking measures towards a more effective application of Chapter II of the Opium Convention concerning the "gradual suppression" of the use of prepared opium in territories where such use has not yet been prohibited, as well as to a reduction of the quantity of raw opium imported into these territories for the purpose of smoking.

Basing itself on a resolution passed by the Advisory Committee, the Fifth Committee proposes that a Conference should be called for this purpose: (Resolution 5.)

This resolution was passed in the Fifth Committee by a majority, a division of opinion having been expressed with regard to the question of the composition of the Conference, as well as to the words "for the purpose of smoking".

The American Delegation, while agreeing with the resolution as carried, made, with regard to the meaning of these words, the following reservation, with which the French delegate associated himself:

"The representative of the United States of America desires to place on record that the term 'opium for smoking' appearing in Resolution 2, does not occur in Chapter II of the Hague Convention of 1912, which refers only to prepared opium, and that the use of the said term 'opium for smoking' is not to be construed as an interpretation of the Convention."

(g) With great satisfaction, we read in the report that the Advisory Committee, in reviewing the work carried out during the past two years, has found that the information now available makes it possible to take steps towards a limitation of the production of the drugs. It has proposed that the Governments concerned in such production should enter into immediate negotiations to consider whether an agreement could be reached on this point.

The Fifth Committee recommends a resolution to be passed to the effect that a conference should be called also for this purpose, suggesting at the same time, for the consideration of the Council, the advisability of enlarging this Conference so as to include within its scope all countries which are Members of the League, or Parties to the Convention of 1912, with a view to securing their adhesion to the principles that may be embodied in any Agreement arrived at (Resolution 6.)

With regard to this suggestion, the Delegate of the Netherlands declared that, although in full sympathy with the object of the proposed conference, the reasons for its extension did not appear

in any way conclusive. It was to be feared, for instance, that the countries where at present the drug was not manufactured would stand aside when the new agreement was ratified, on the plea that no such manufacture existed in their territory.

It was by the Fifth Committee considered as urgent that both Conferences should be held as soon as possible, the more limited Conference concerning the Far East to be held first, while the other should follow, if possible, immediately after the former.

In accordance with the above considerations, the Fifth Committee recommends the Assembly to pass the following resolutions:

Resolution 1. — The Assembly expresses its deep appreciation of the very valuable work done by the Advisory Committee on Traffic in Opium and other Dangerous Drugs, adopts its report and resolutions, taking note of the reservations contained therein, and asks the Council to take the necessary steps to put these resolutions into effect.

Resolution 2. — The Assembly, in view of Turkey having agreed, by the Treaty of Lausanne, to adopt and to enforce the International Opium Convention of 1912, and in view of its importance as an opium-producing country, expresses the wish that the Turkish Government — on its ratification of the Convention and signature of the final Protocol of 1914 — be invited to nominate a representative to serve on the Advisory Committee.

Resolution 3. — The Assembly asks the Council to repeat its request to the Governments of Albania, Argentina, Colombia, Costa Rica, Lithuania, Paraguay, Persia and Switzerland, that they should take all possible measures with a view to the prompt ratification and application of the Opium Convention.

Resolution 4. — The Assembly, taking note with regret of the fact that a number of countries have not yet adopted the import certificate system as recommended by the Assembly in 1921 and 1922, reiterates the opinion expressed by the Assembly in 1922, that this system is the most practical method yet suggested for controlling the import and export of the drugs in accordance with the provisions of the International Opium Convention and that its success depends on its adoption by all countries engaged in importing or exporting the drugs; and in view of the serious difficulties created by the non-adoption, up to the present, of the system by several important countries, requests that the Advisory Committee may be instructed to proceed with the consideration of the suggestion contained in the second resolution adopted by the Assembly in 1922, and to report specially to the next Assembly on the whole situation.

Resolution 5. — The Assembly approves the proposal of the Advisory Committee that the Governments concerned should be invited immediately to enter into negotiations with a view to the conclusion of an agreement as to the measures for giving effective application in the Far Eastern territories to Part II of the Convention and as to a reduction of the amount of raw opium to be imported for the purpose of smoking in those territories where it is temporarily continued, and as to the measures which should be taken by the Government of the Republic of China to bring about the suppression of the illegal production and use of opium in China, and requests the Council to invite those Governments to send representatives with plenipotentiary powers, to a conference for the purpose and to report to the Council at the earliest possible date.

Resolution 6. — The Assembly, having noted with satisfaction that, in accordance with the hope expressed in the fourth resolution adopted by the Assembly in 1922, the Advisory Committee has reported that the information now available makes it possible for the Governments concerned to examine, with a view to the conclusion of an agreement, the question of the limitation of the amounts of morphine, heroin or cocaine and their respective salts to be manufactured; of the limitation of the amounts of raw opium and the coca leaf to be imported for that purpose and for other medicinal and scientific purposes; and of the limitation of the production of raw opium and the coca leaf for export to the amount required for such medicinal and scientific purposes, requests the Council, as a means of giving effect to the principles submitted by the representatives of the United States of America, and to the policy which the League, on the recommendation of the Advisory Committee, has adopted, to invite the Governments concerned to send representatives with plenipotentiary powers to a conference for this purpose, to be held, if possible, immediately after the conference mentioned in Resolution 5.

The Assembly also suggests, for the consideration of the Council, the advisability of enlarging this conference so as to include within its scope all countries which are Members of the League, or Parties to the Convention of 1912, with a view to securing their adherence to the principles that may be embodied in any agreement reached.

ANNEX 19.

WORK OF THE COMMITTEE ON INTELLECTUAL CO-OPERATION.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. Jacques BARDOUX, Assistant Delegate of France.

The Fifth Committee of the Assembly has had two documents laid before it: the report of the Committee on Intellectual Co-operation on the work of the second session, signed by its Chairman, M. Bergson, of the Académie française, and by its Rapporteur, M. de Reynold, Dean of the University of Berne, and the report by M. Hanotaux, of the Académie française, which has been adopted by the Council (Documents A. 32. 1923. XII and A. 66. 1923. XII). It has carefully studied the conclusions contained therein.

By discussing these questions thus thoroughly, the Fifth Committee wished to give evidence once more of the League's considered interest in the various problems of intellectual assistance. On behalf of all nations, it owes this testimony of international gratitude to the intellectual workers, who have been impoverished in such a cruel way by the crisis through which the world is passing as it slowly re-adapts itself to the labours of Peace. The Assembly of mankind wishes to proclaim that it cannot ensure the stability of Peace unless at the same time re-establishing the rule of Intellect. Furthermore, the latter will be unable to recover its previous power without mutual assistance and interpenetration. Recent experience has shown that rigid and narrow intellectual nationalism, which refuses to study and understand the culture of other countries, would constitute an obstacle to progress and a menace to Peace.

In this domain, closely connected as it is with the surest guarantees of the unity of a State and with the most legitimate activities of a free people, it is desirable that nothing should be undertaken which might appear to menace its inviolable independence or limit the scope of originality.

The Fifth Committee considers that the decisions which it recommends to the Assembly are of a nature to encourage intellectual co-operation as it deserves, without over-stepping the comparatively narrow boundaries traced by Justice and History.

It has carefully refrained from making general recommendations and has confined itself to the realm of practical and immediate possibilities. This was the best method of serving the interests of intellectual work and of adding to the prestige of the League of Nations.

In its first resolution, the Fifth Committee suggests that the Assembly should lay down the principle that the Committee on Intellectual Co-operation cannot have full authority nor be fully effective unless it is really and entirely representative. It should represent not only the various intellectual methods but also the various national cultures.

I have said "national cultures" and not "intellectual nationalisms". It has never been the intention of the Fifth Committee to change the character and composition of the Committee on Intellectual Co-operation. It merely wishes to point out that the Committee could never truthfully reflect the various forms of human thought except by taking into consideration not only the original creations of intellectual training but also those which are the result of collective thinking.

In order to leave the Council complete liberty in the examination of candidates, who should be tested both by their undoubted talents and by their representative worth, the Committee thought it advisable to point out that a system of rotation might be introduced in the Committee on Intellectual Co-operation, the number of whose members might with advantage be increased.

The Fifth Committee has already a number of requests to forward to the Council. The first have been formulated by the representatives of Roumania, the Kingdom of the Serbs, Croats and Slovenes, Czechoslovakia, the Spanish-speaking American countries, and the Asiatic nations. With a desire for universal reconciliation, the Fifth Committee has, after recalling the intentions of the Council towards Austria, also added to this list Ireland and the Finno-Ugrian peoples. The mere mention of these names is sufficient justification. No further argument is necessary. Attention and imagination will suffice.

I do not think I shall be exceeding the impersonal neutrality befitting a Rapporteur if I state that, after endorsing the justifiable request of Roumania, Venezuela and China, acting on behalf of their groups, the French Delegation has had the honour of taking the initiative in mentioning again the claim of Austria as representative of Germanic culture.

This list is by no means complete. There are obviously certain gaps. The name of Portugal was put forward, but not included, owing to an error of procedure. This is, however, of little importance. It is for the Council to pronounce, without appeal, as to these candidatures, which will only be justifiable if they are sufficiently conspicuous and original to ensure a more complete representation of methods and cultures. However, the Committee on Intellectual Co-operation can give immediate satisfaction to some of these claims, especially that of Portugal, by the way in which it allocates its posts of corresponding members.

Two conditions are indispensable for the Committee, even after its numbers have been increased, to fulfil the task of organisation and realisation with which it is faced.

In the first place, national Committees on Intellectual Co-operation must act as its correspondents and collaborators. About a dozen have been created. The second resolution is aimed at encouraging the extension of such enterprises. It will be advisable for these Committees to include, in addition to the representatives of learned and professional societies, those of the associations which in certain countries such as France have already organised mutual intellectual assistance with other countries.

Secondly, the Committee on Intellectual Co-operation cannot do without a permanent organisation. This is the considered opinion of its eminent Chairman, M. Bergson, who did not hesitate on one occasion to come here in person to support this contention with all the brilliance of his arresting personality. This is also the unanimous opinion of the Fifth Committee and has been approved by the Fourth Committee. It is not proposed to add to the League of Nations an International Ministry of Intellectual Affairs: it is proposed simply to transform, as it were, the secretariat of the Committee into an International Office for University Information. The French Delegation's well-known insistence on economy should reassure the Assembly in regard to the cost of this measure which is laid down in the third resolution. An increase of 14,920 francs in the estimates would be sufficient to cover the expenditure.

It will be the duty of this Office, under the control and direction of the Committee on Intellectual Co-operation, to carry out an extensive programme, which was prepared at its earlier sessions. The Fifth Committee proposes this programme to the Assembly for adoption.

1. In the first place, the enquiry into the conditions of intellectual life in the various countries (Resolution II) must be expedited and the results published. Unless the documents relating to this enquiry in the different countries are available, it will be vain to attempt to organise mutual intellectual assistance.

2. It will be necessary to collect and to classify through the instrumentality of the National Offices for University Information, where such Offices exist, particulars regarding the equivalent recognition of studies and degrees, University curricula, and in particular those courses (contemporary history, foreign languages, vacation courses) which appear to be specially valuable in promoting close intellectual intercourse. I shall say nothing of the interchange of professors and students (Resolution III). Without the necessary documents dealing with University questions, any attempt to prepare a scheme for intellectual assistance is doomed to failure.

3. It will further be necessary to publish works and make the necessary preparations for bibliographical conferences; to consider the revision and enlarge the scope of the clauses in international Conventions regarding the co-operation of libraries and the exchange of publications (Resolution IV). Without this work of scientific documentation it will be impossible to organise mutual intellectual assistance.

The Fifth Committee, deeply moved by the disaster which has befallen one of the centres of Asiatic culture, the cradle of a graceful and profound art, and at the same time, filled with admiration for the silent and stoical, the wise and noble, fortitude of which the Japanese Delegation has given us so worthy an example, requests the Assembly in its fifth resolution to instruct the Committee on Intellectual Co-operation to consider the means of facilitating the restoration of literary and scientific collections of which the Empire of the Rising Sun has now to deplore the loss.

Two points in the programme of the Committee on Intellectual Co-operation have engaged the special attention of the Fifth Committee.

If, unfortunately, it has not approved with absolute unanimity the principle underlying Senator Ruffini's proposal, it has been in complete agreement in requesting the Assembly to decide that this proposal should be transmitted to all States Members of the League of Nations for their comments and suggestions, with a view to enabling a final draft international Convention to be prepared eventually for submission to the fifth Assembly (Resolution VI).

If the Committee on Intellectual Co-operation and the Fifth Committee of the Assembly had declined to concern themselves in the campaign organised in France, Italy and Belgium for the purpose of according to scientific discovery the same international protection as that given to industrial invention, artistic work and literary creation; if, I repeat, those two bodies had declined to investigate, to approve, and to transmit the striking plan prepared by Senator Ruffini, which is based on the legislative measure proposed by our distinguished colleague Joseph Barthélemy, they would undoubtedly have failed in their duties and neglected to carry out their mission. It would be idle to claim that we were encouraging a love of learning and mutual intellectual assistance

if at the same time we had accepted unchallenged an unfair and invidious distinction in the guarantees afforded in regard to property in ideas and in the value assigned to higher creative work.

Why should the discovery of acetylene, wireless telegraphy and quinine not confer the same rights as the invention of an electric switch and a curtain rod, the editing of a book and the painting of a picture, the writing of a play or a musical composition?

The Fifth Committee confidently brings before the Assembly this legitimate demand on the part of intellectual workers.

The Fifth Committee, to which the Committee on Intellectual Co-operation has submitted a proposal for establishing in the Charterhouse at Capri a study centre for artists of all countries, has been unanimous, in demanding a full enquiry, in leaving the decision on the matter to the Council (Resolution VII).

In thus planning its work so as to achieve practical results in the immediate future, the Fifth Committee is of opinion that it has acted in accordance with the hopes and the express wish of the Fourth Assembly of the League of Nations. The time for words is past; we must now gird ourselves for action.

Resolution I.

The Assembly,

Considering it desirable to increase the authority of the Committee on Intellectual Co-operation by enlarging it so that it represents not only the various intellectual methods but also the various national cultures;

Having noted with satisfaction the intention expressed by the Council at its meeting of April 23rd, 1923, of adding to the Committee on the occasion of the next vacancy a professor of the University of Vienna as representative of the Germanic culture;

Having noted also the legitimate demands expressed by the delegates of Roumania, the Kingdom of the Serbs, Croats and Slovenes and Czechoslovakia, by the Spanish-speaking delegate of America, by the Asiatic delegates and by the delegates of Ireland and of the Finno-Ugrian nations:

Requests the Council to consider the possibility of increasing the number of members on the Committee, introducing at the same time a system of rotation to be determined.

Resolution II.

The Assembly, considering that it is important to encourage and facilitate the work of mutual intellectual assistance among the various nations, endorses the resolution adopted by the Council, and

- (a) Expresses the hope that the Committee on Intellectual Co-operation, availing itself of the help of the delegates of the National Committees, will, at its next session, take up with renewed energy the urgent problem of intellectual assistance;
- (b) Is of opinion that National Committees should also be established in those countries which have already organised intellectual co-operation on definite lines and in a different way;
- (c) Requests the Council to ask the Governments Members of the League of Nations to be good enough to lend their moral and financial support to these National Committees — if they have not already done so — and to authorise the Committee on Intellectual Co-operation to receive from any institution or private person interested in the work, funds destined for this purpose;
- (d) Invites the Committee to continue the investigation into the conditions of intellectual life which it has started and to communicate the results obtained.

Resolution III.

The Assembly, taking note of the statements of the Committee and of its Chairman in regard to the impossibility of continuing their work unless an international university information office is formed, authorises the Committee to convert its secretariat into an international university information office.

The initial activities of this office might include:

- (a) Communication of the recommendations of the Committee on Intellectual Co-operation for their information to the competent authorities and particularly to the national university information offices.
- (b) Publication of any information which it may receive, especially from National University Information Offices, where such Offices exist, in regard to the equivalence of studies and diplomas recognised by different countries, the curricula of universities, especially university courses relative to modern nations, teaching of modern languages, literatures and civilisations and international vacation courses.
- (c) Preparation of a meeting between the University Sub-Committee and delegates of the international students' associations with a view to examining methods of extending the exchange of students, with the concurrence of their universities.
- (d) Establishment of relations with all the organisations existing in various countries for the purposes of rendering exchanges of professors more frequent.

Resolution IV.

The Assembly, sharing the Committee's conviction that the international organisation of bibliography serves to establish closer touch between scholars in different countries and to facilitate their individual studies:

- (a) Invites the Committee to publish the "Index Bibliographicus" which it has planned and to pursue its enquiries in regard to co-operation between the libraries or groups of libraries which have been formed in the different countries, and in regard to the utilisation of the work of the International Bibliographical Institute at Brussels;
- (b) Authorises the Committee forthwith to take the necessary steps to summon technical conferences for the purpose of co-ordinating the work of analytical bibliography abstracts in certain specified sciences;
- (c) Requests the Council, in agreement with the Committee on Intellectual Co-operation, to convene a conference of experts to prepare the eventual revision of international conventions relative to the exchange of publications of every kind: books, periodicals, catalogues, papers and theses.

Resolution V.

The Assembly, grieving at the calamity which has stricken the universities and libraries of the capital of Japan, invites the Committee on Intellectual Co-operation to study means to afford international assistance so far as to facilitate the reconstitution of the library and scientific collections which have been destroyed in Japan.

Resolution VI.

The Assembly, approving the principle of Senator Ruffini's scheme in regard to the protection of scientific property, and in consideration of the resolution on this subject adopted by the Council, decided to forward this scheme to all the Governments, requesting them to communicate to the Secretariat of the League of Nations any observations they may wish to make, in order to enable the Committee on Intellectual Co-operation to draw up, if the necessity arises, a final draft convention to be placed on the agenda of the fifth Assembly and submitted subsequently to all the States for signature and ratification.

Resolution VII.

The Assembly, noting with satisfaction that the Committee has given its consideration to international problems relative to art and artists, authorises the Committee to establish relations with the municipality of Capri, which has offered to place the Charterhouse at Capri at the disposal of the artists of the various countries, in order to ascertain, after enquiry, whether the Council should be asked to accept this offer.

Resolution VIII.

The Assembly urges the Governments of the States Members to arrange that the children and youth in their respective countries where such teaching is not given be made aware of the existence and aims of the League of Nations and the terms of its Covenant.

ANNEX 20.

INTELLECTUAL CO-OPERATION

Validity in all States, on a Basis of Reciprocity, of certain Secondary Education Diplomas; Establishment of an International University; Institution of a Higher Education Degree in all Countries Members of the League of Nations, such Diplomas being Valid for all the Countries in Question.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. DE PALACIOS, Delegate of Spain.

Although the Spanish Government's proposals, which I have the honour to submit for the consideration of the Assembly, deal with three different questions, namely, the recognition by all countries of secondary educational diplomas, the establishment of an International University and the creation of a higher educational degree in all countries Members of the League of Nations, these questions all derive from the original principle proclaimed by the authors of the Covenant as the inspiration of our League: the development of co-operation between nations.

There can be no doubt that the Spanish Government's proposals constitute an expression of national collaboration and solidarity of a high order. The proposal does not, in point of fact, introduce any new ideas, but is concerned simply with methods of applying suggestions which have already been laid before the League of Nations and the Committee on Intellectual Co-operation.

These proposals have not been developed in detail, and this is perhaps just as well, since it would not be wise at such an early date to attempt to regulate the principles suggested by the Spanish Government for your approval. These principles, if the Assembly shares the opinion held by the Fifth Committee, should be submitted to the distinguished members of the Committee on Intellectual Co-operation, in order that they may consider them in the light of their wide knowledge and experience.

I.

The first of the Spanish Government's proposals is to the effect that "*Secondary educational diplomas which do not confer the right to exercise a profession shall be valid in all countries, and shall enable their holders to participate in courses of higher instruction.*"

As you will doubtless have noted in the report of the Committee on Intellectual Co-operation, dated August 15th, 1923, the problem of the equivalent recognition of studies and degrees has already received special attention, and the Committee was of opinion that it would be advisable to institute an enquiry into the question of equivalent recognition as it at present exists between various universities and countries, for the purpose of furnishing a basis for subsequent investigations by the Committee.

The Spanish Government considers that a distinction should be drawn between secondary educational diplomas which do not confer the right to exercise a profession and others. It is of opinion that the validity of the first category should be recognised by all Governments without proceeding to any detailed investigation of the equivalent value of the range of subjects which these degrees cover in each country. Subject-matter of this nature is nearly always the same in all countries, and the studies are of an academic and preliminary nature, the object of which is to enable the pupil to undertake higher studies.

The essential purpose of secondary education is to develop intelligence and memory, as well as a psychological aptitude on the part of the pupils to pursue higher studies, and to train their will to meet the social obligations of life. This double psycho-sociological function of secondary or intermediate education is fulfilled independently of the curriculum adopted in each State.

I can, moreover, advance an argument drawn from actual facts. I leave you to form your own opinion as to its value, though it appears to me to be beyond dispute. I refer to the experiment made by Spain, in which country, since 1913, all diplomas issued by the competent

authorities of any State whatever have been accepted as valid. I can assure the Assembly that the information collected by the Spanish Ministry of Education goes to show that the results obtained during the past decade have been excellent. Spanish legislation in this connection does not secure exclusive privileges for nationals; on the contrary, it provides privileges and exemptions for foreigners. Spain would be glad to see her liberal example in this matter followed by other Members of the League.

II.

The Spanish Government also proposes that "*an international autonomous university, having academic jurisdiction and freedom, shall be established in one of the four universities of Christendom — Paris, Salamanca, Oxford or Bologna — with the right of conferring degrees and issuing diplomas which would be recognised in all States Members of the League of Nations. Its professors would be selected from among the most distinguished intellectual and scientific personalities, regardless of their nationality.*"

There is no need to draw the attention of the Assembly to the importance of this proposal. If the occasion had arisen to examine the scheme in all its details, it would have been necessary to consider one by one a whole series of problems arising out of this suggestion: how the International University is to be created, what is to be the measure of its autonomy, jurisdiction, and freedom, where it is to be situated, what is to be the nature of the instruction given, the validity of its degrees, its professorial staff, the language in which instruction is to be imparted, its financial resources, and so on.

I do not think that we need at present proceed to discuss each of these questions in detail. We shall confine ourselves to the general principles of the proposals, which I suggest should also be referred to the Committee on Intellectual Co-operation, by whom this scheme of the Spanish Government may be studied, possibly in conjunction with the proposals submitted by Professor Bannerjee, concerning the creation of an International University under the auspices of the League of Nations. The sound judgment of the members of the Sub-Committee on Inter-University Relations and of the other members of the Committee on Intellectual Co-operation will once again be exercised in drawing up a report on the basis of which the Fifth Assembly will be able to adopt a resolution in this connection.

I hope that this report will lay down the lines on which it would be most convenient to establish a centre of learning for all nations, a scientific laboratory of the most advanced character, an educational training-centre for the formation of a nucleus of professors for universities throughout the world, an organisation for the development and dissemination of world progress in science.

Spain, which founded in America the universities of Buenos Ayres, San José, Havana, Santiago de Chile, Guatemala, Quito, Tegucigalpa, Mexico, Assumption, Lima, San Salvador, Montevideo, Caracas and Merida; Spain, which founded in Europe, in addition to the twelve Spanish universities, those of Utrecht, Groningen, Cagliari, Catania and many others, and which also founded in Oceania the University of Saint Thomas at Manila, now requests the League of Nations to establish an International University with authority to issue degrees which will be recognised by all the Members of the League.

III.

The last proposal of the Spanish Government is that "*there shall be created in each of the States Members of the League a higher educational centre for all branches of higher study; the diplomas issued by this centre would confer in all States a right to exercise professions. The minimum standard of study should be the same in all countries.*"

This proposal is of a subsidiary nature. The Spanish Government considers that no effort should be spared to attain what may be styled the internationalisation of certain studies and certain university degrees which represent the highest standard of learning. This aim, which so fully conforms to the ideals of the League of Nations, should, in the opinion of the Spanish Government, be attained by creating an International University of the nature, and under the conditions, outlined in the second proposal. But if, owing to unavoidable circumstances, the League of Nations cannot undertake that the International University shall from the beginning possess the right to issue internationally recognised degrees, the Spanish Government suggests that this power should be accorded to one of the universities of each of the Members of the League, in return naturally for the necessary guarantees, of which the principal one must be the fixing of a common minimum standard of studies.

As the Assembly will doubtless have noted from the foregoing statement — which I have attempted to make as short as possible — the Spanish Government's proposals constitute a contribution to the common aims of the League of Nations. They have been submitted, I can assure you, in all good faith, and with the most sincere desire to assist us in advancing along that path of intellectual, scientific and practical progress which is the special duty of the Committee on Intellectual Co-operation to point out.

These proposals are inspired by the same ideal which underlies the work of the inter-university co-operation undertaken by the above-mentioned Committee, namely, collaboration with a view to improving the status of higher education, an attempt to discover the highest quality of study,

to encourage scientific work for the benefit of learning in general, and to maintain or re-establish contact between the intellectual aristocracy and the masses.

I have therefore the honour to propose to the Assembly the following resolution:

"The Assembly,

"Having noted the Spanish Government's proposals concerning the equivalent recognition in all States of certain secondary educational diplomas, the creation of an International University, and the foundation of a higher educational establishment in each of the countries Members of the League of Nations, whose diplomas shall be valid in all countries Members of the League;

"Having duly appreciated the importance of these proposals, and without prejudice to the main issue involved:

"Decides to request the Council to refer these proposals to the Committee on Intellectual Co-operation for consideration, in order that this Committee may draw up a report on the subject to be submitted to the fifth Assembly."

ANNEX 21.

A. 103. 1923.

PROTECTION OF WOMEN AND CHILDREN IN THE NEAR EAST.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: Mlle. FORCHHAMMER, Delegate of Denmark.

In the first Assembly of 1920, the question of the protection of women and children in the Near East was raised in connection with that of the Traffic in Women and Children. On the proposal of the Rapporteur, the Delegate of Roumania, the Assembly decided to ask the Council to appoint a Commission of Enquiry to report on the position of these unfortunate women and children. The Commission, which was duly appointed in the course of the winter, consists of Dr. KENNEDY (British), Miss CUSHMAN (American), both of Constantinople, and Miss KAREN JEPPE (Danish), who was working among Armenian women and children at Aleppo, in Syria. The Commission soon came to the conclusion that enquiry was not enough, and that some more active steps must be taken; and Dr. Kennedy, who reported to the Fifth Committee both in 1921 and 1922, very much emphasised this point.

The Assembly of 1921 resolved to ask the Council to appoint a Chief Commissioner with powers to reclaim those women and children who, owing to the misfortunes of the war, had been detained among people of other nationality and religion than their own. When it proved difficult to find any one person to act as Chief Commissioner, the Council requested the Commission itself to proceed with the work of reclaiming women and children, and this authority was confirmed by the third Assembly, which further urged the Governments responsible for any territories where members of the Commission were working to instruct their officials to give strong support and assistance to the Commission and its members.

The reports of Dr. Kennedy and Miss Karen Jeppe show that much good work has been done since the last Assembly, by the League of Nations Commission both at Constantinople and at Aleppo. In both places a Receiving Home has been at work under the auspices of the League, where women and children who had been separated during the war from their own families and their own nations are received for a short time, until they can be placed either with their relatives or in charitable institutions, or can be made self-supporting.

As regards the Constantinople branch of the work, Dr. Kennedy reports that, during the first six months of the year, 78 children were in residence in the Home, and over 300 children were assisted in various ways, irrespective of race or religion. Dr. Kennedy pays a tribute to the

valuable work done by Miss Caris Mills, the Directress of the Home, who has taken an active interest in the thousands of children scattered about the city and in the various camps, and has often succeeded in obtaining relief for them through some relief society.

Only few women have been in residence in the Home, but a good many have been assisted either by helping them to join their relatives or by obtaining permission for them to emigrate. About 400 have been helped in this way, most of them being sent to the United States.

Another very interesting and hopeful aspect of the work is that the Turkish women have begun to take an interest in the Home and to help in the work in various ways.

As regards the Aleppo branch, Miss Jeppe reports that 300 women and children have been in residence in the Receiving Home since the report given to the last Assembly. It has not hitherto been possible to obtain from the United States any special permission for the immigration of these women and children, even if they have very near relatives there. Miss Jeppe emphasises that it would be a great help if this permission could be obtained, and it is therefore with great satisfaction that the Fifth Committee notes that the United States of America has had under consideration in Congress a Bill to admit to the United States women and children having near relations in that country.

As there are not so many charitable institutions at Aleppo as in Constantinople, it is sometimes necessary to keep those who take refuge there for a somewhat longer time, until work can be found for them, or in order to give them some training. For this reason, it is of great value that, with money from other sources, Miss Jeppe has been able to establish various industries where her charges can be employed.

An accident happened recently — the Receiving Home was burnt down. The inmates were temporarily lodged in tents, but now a big shelter has been built, where the whole work has been concentrated. The money for this building has been provided by the Armenian Red Cross in London.

In presenting this report on behalf of the Fifth Committee, I may add that the Committee feels convinced that the League of Nations is here doing humanitarian work of a high order, in alleviating some of the suffering caused by the war, in reuniting families who had been scattered about, and in making people who would probably otherwise have become a burden to themselves and others useful and self-supporting citizens. It is a work which reminds one of that done in connection with the repatriation of prisoners of war — a problem the solution of which has brought so much credit to the League and to its High Commissioner, Dr. Nansen.

The work for the protection of women and children in the Near East is well begun, but far from finished. Miss Jeppe reckons that, in the district which can be reached from Aleppo, there are still about 30,000 Armenian women and children scattered among people of a different race and religion from their own. The number of persons seeking protection and help is steadily increasing and the possibilities for extending the work will depend on the funds at the disposal of the Commission. The Fifth Committee feels satisfied that the work is carried on with the strictest economy, and, on hearing the statements made before it by Miss Jeppe, was struck by the devotion and energy which inspire her work.

On behalf of the Fifth Committee, I have the honour to present to the Assembly the following proposals, which were adopted unanimously by the Committee:

1. The Assembly approves the reports of Dr. Kennedy and Miss Karen Jeppe. It expresses its appreciation of the work accomplished and recommends that the League shall continue the work for the protection of women and children in the Near East.
2. It recommends that the same appropriation for the work of the Commission which was made in 1923 should be made for 1924.

The Fifth Committee, wishing to adhere to its original proposal, but noting that the Fourth Committee, in view of the general budgetary situation, has thought it impossible to grant the estimates required and has thought it necessary to reduce them, feels that the Assembly alone can decide between the need of the work and the necessity for economy.

ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL.

REPORT SUBMITTED BY THE FIRST COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. POLITIS, Delegate of Greece.

The First Committee, having considered the questions relating to the election of the non-permanent Members of the Council which have been submitted to it by the General Committee of the Assembly, proposes to the Assembly the adoption of the following resolution:

“ I. The Assembly repeats the recommendation contained in Resolution No. 2 of September 29th, 1922, and refers it to the fifth Assembly.

“ II. The Assembly resolves to insert in its Rules of Procedure between Rules 22 and 23 a text giving effect to the rules of procedure for the election of the non-permanent Members of the Council laid down by Resolution No. 1 of September 29th, 1922.

“ III. The Assembly reiterates the following recommendation :

“ It is desirable that the Assembly, in electing the six non-permanent Members of the Council, should make its choice with due consideration for the main geographical divisions of the world, the great ethnical groups, the different religious traditions, the various types of civilisation and the chief sources of wealth.”

“ IV. Guided by the spirit of the Covenant, the Assembly urgently recommends the Members of the League, and especially the Members of the Council, to ratify the amendment to Article 4 of the Covenant which was adopted by the second Assembly, and expresses the confident hope that this amendment will come into force before the meeting of the fifth Assembly.”

Appendix.

RESOLUTIONS OF SEPTEMBER 29TH, 1922.

The two resolutions of September 29th, 1922, referred to in the draft resolution submitted by the First Committee are as follows :

Resolution No. 1.

“ The Assembly adopts, for the election of the non-permanent Members of the Council, the following rules of procedure :

“ The Members whose representatives are to sit on the Council as non-permanent members of that body shall be selected by the Assembly by secret ballot.

“ Where several seats are to be filled, the election shall be made by voting a list of names. Any ballot paper containing more names than there are seats to be filled shall be null and void.

“ No Member shall be elected at the first or at the second ballot unless it has obtained at least the absolute majority of the votes. If, after two ballots, there still remain seats to be filled, a third ballot shall be held upon a list consisting of the candidates which obtained most votes at the second ballot, up to a number double that of the seats to be filled, and those Members shall be elected which obtain the greatest number of votes.

“ If two or more Members obtain the same number of votes and there is not a seat available for each, a special ballot shall be held between them ; if they again obtain an equal number of votes, the President shall decide between them by drawing lots.”

Resolution No. 2.

“ Pending the ratification by the States of the amendment to Article 4 of the Covenant voted by the Assembly in 1921, and without prejudice to the right of the Assembly to ‘select in its discretion’, in accordance with the provisions of the Covenant, the non-permanent Members of the Council, the Assembly recommends that the fourth Assembly adopt the following rules :

“ The non-permanent Members of the Council are elected for a period of three years, commencing on the first day of January following the date of their election.

“ Retiring Members are not eligible for re-election until the expiration of a period of three years.

“ One-third of the non-permanent part of the Council shall be renewed each year.

“ If one or two of the Members now on the Council are re-elected, their mandates shall terminate at the end of the first year.

“ If more than two Members now on the Council are re-elected, lots shall be drawn to determine which one or which two of them shall not retire until the end of the second year.

“ If necessary, lots will be drawn to determine the order of retirement as between newly elected Members, so as to bring up to two the number of Members retiring.

“ If, for any reason, a seat on the Council filled by any State should become vacant during the first period of three years, the State shall be considered as having retired, with the result that, if such vacancy occurs during the first year, lots shall only be drawn for one seat, and if the vacancy occurs during the second year, lots shall again only be drawn for one seat.

“ If such a vacancy occurs after the expiration of the first period of three years, the Assembly shall fill it at the session following its occurrence, but the Member so elected shall only complete the current mandate.”

ANNEX 23.

A. 104. 1923.

DISPUTE BETWEEN LITHUANIA AND POLAND.

REQUEST MADE BY THE LITHUANIAN GOVERNMENT
AS A RESULT OF THE COUNCIL'S ACTION IN CONNECTION WITH THE DISPUTE.

REPORT SUBMITTED BY THE SIXTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : Count BONIN-LONGARE, Substitute Delegate of Italy.

The Sixth Committee has the honour to submit its report to the Assembly with regard to the question placed on the agenda at the request of the Lithuanian Government.

As the same question had already formed the subject of a discussion by the Council and of a Council Resolution, the Committee decided in the first instance to consult the First Committee as to the possibility, from a legal point of view, of a further debate by the Assembly. As the reply of the First Committee (Appendix 1) does not exclude this possibility, a Sub-Committee has been appointed to examine the question submitted to the Assembly by the Lithuanian Government.

After an exchange of views between the members of the Sub-Committee and the Lithuanian representative, M. Sidzikauskas, the latter addressed a letter to the Chairman of the Committee dated September 25th (Appendix 2), which concluded by requesting the Chairman “ to propose to the Sixth Committee and to the Assembly that the further examination of the question placed on the agenda of the Fourth Assembly at the request of the Lithuanian Government should be referred to the next plenary Assembly of the League of Nations ”.

In consequence, the Committee has the honour to propose to the Assembly that instructions should be given to refer to the fifth Assembly, according to the desire expressed by the Lithuanian Delegation, the question placed on the agenda of the present session at the request of the Lithuanian Government.

Appendix 1.

REPLY OF THE FIRST COMMITTEE TO THE QUESTIONS SUBMITTED TO IT IN THE LETTER FROM THE CHAIRMAN OF THE SIXTH COMMITTEE DATED SEPTEMBER 5TH, 1923.

The question addressed by the Chairman of the Sixth Committee to the First Committee is the following :

“ May a discussion previously opened before the Council, and closed by the formal adoption by the Council of the findings in a report, be reopened before the Assembly ?”

The First Committee would respectfully point out that it is impossible to give a definite reply to a question couched in such general terms. The only course which appears to it to be practicable is to consider the particular circumstances which gave rise to the question and to offer an opinion limited to this case.

The Committee gathers from the documents presented that, during the deliberations of the Council of the League in reference to the frontier between Poland and Lithuania, the Council came to certain decisions. The Lithuanian Government contested the competence of the Council to make these decisions and applied to the Council to request the Permanent Court of International Justice to give an advisory opinion upon the question of its competence. The Council declined to do this, and thereupon the Lithuanian Government has asked the Assembly to submit this question to the Court.

It is clear that, by Article 14 of the League of Nations Covenant, both the Council and the Assembly are empowered to ask for an advisory opinion from the Permanent Court, and by Articles 3 and 4 both bodies may "deal with any matter within the sphere of action of the League or affecting the peace of the world".

From these articles it would seem, *prima facie*, that there is no obstacle in the way of both bodies acting in the case under consideration.

However, on December 7th, 1920, the Assembly adopted a report in which the question of the relations between, and respective competence of, the Council and the Assembly were fully discussed, and it came to the following conclusion, *viz* :

"The Council and the Assembly are each invested with particular powers and duties. Neither body has jurisdiction to render a decision in a matter which, by the Treaties or the Covenant, has been expressly committed to the other organ of the League. Either body may discuss and examine any matter which is within the competence of the League."

The First Committee has therefore to consider whether, in this case, the question of inviting the Court to advise upon the competence of the Council is one that has been "expressly committed to" the Council.

The Committee is of opinion that, although the Assembly could not take into consideration a question the solution of which is pending before the Council, nevertheless, if the question of competence is raised in relation to the contents of the report made by the Council, this point does not constitute a matter expressly committed to the Council, and that the Assembly may consider itself competent to order a reference to the Court if it thinks it desirable.

But in expressing this opinion, the Committee does not wish to make any pronouncement upon the other legal objections which might be made in regard to the requests for an advisory opinion formulated in the Lithuanian proposal or on the advantages or the inconveniences that, in the particular case put by Lithuania, may attend the exercise of the right of the Assembly thus recognised in principle.

September 18th, 1923.

[Translation.]

Appendix 2.

LETTER, DATED SEPTEMBER 25TH, 1923, ADDRESSED TO THE CHAIRMAN OF THE SIXTH COMMITTEE BY THE LITHUANIAN DELEGATION.

At its meeting of February 3rd, 1923, the Council of the League of Nations decided, in spite of the protests of the Lithuanian Delegate, to divide up the neutral zone which owes its origin to the violent act of Zeligowski and which separates the Lithuanian and Polish troops in the Vilna district. This zone was established by virtue of an armistice protocol regularly signed by the representatives of the Lithuanian and Polish Governments and registered and published at the request of the latter Government by the Secretariat of the League of Nations in accordance with Article 18 of the Covenant. The Lithuanian Government is of opinion that, as no dispute with regard to the partition of the neutral zone had been submitted to the Council by the parties concerned under the conditions laid down in the Covenant, the Council of the League of Nations was not competent on its own initiative and without the consent of the two parties to modify the provisions of an agreement concluded by these parties and to attribute to its resolution the force of a recommendation of the Council given in pursuance of paragraph 6 of Article 15 of the Covenant. The Lithuanian Government is also unable to agree with the Council of the League of Nations as to the scope of Council recommendations given in pursuance of paragraph 6 of Article 15 of the Covenant, and it considers that the view held by the Council in a concrete case of this sort is not in conformity with the provisions of the Covenant.

The Government of the Lithuanian Republic therefore asked the fourth Assembly to be good enough, in accordance with Article 14 of the Covenant, to seek an advisory opinion from the Permanent Court of International Justice with regard to the disputed points set out above. This request made by the Lithuanian Government has been placed on the agenda of the present Assembly and will be found under heading 23 (b).

Apart from the fact that the above-mentioned questions affect matters which go beyond the sphere of the dispute between Lithuania and Poland and raise points of importance for the future of the League of Nations and for its jurisprudence, they are of very special interest to the Lithuanian Government. That Government is faced with the existence of a provi-

sional line of demarcation which the Council of the League of Nations traced in the above-mentioned circumstances and which the Lithuanian Government does not recognise. The position has been rendered considerably worse by the fact that the Conference of Ambassadors has seen fit to refer in its resolution regarding the eastern frontier of Poland to the said decision of the Council.

Nevertheless, as no reply has been received from the Conference of Ambassadors to the note of the Lithuanian Government of April 16th, 1923, referring to the above-mentioned resolution of the Conference of Ambassadors, and as I am anxious, on the other hand, to take into account the suggestions made to me in this connection by members of the Sub-Committee on the Lithuanian question, I venture very respectfully to beg Your Excellency to propose to the Sixth Committee and to the Assembly that the further examination of the question placed on the agenda of the fourth Assembly at the request of the Lithuanian Government should be referred to the next plenary Assembly of the League of Nations.

(Signed) SIDZIKAUSKAS,
First Lithuanian Delegate.

ANNEX 24.

A. 106. 1923.

INTERNATIONAL ORGANISATION
DESIGNED TO TAKE PART IN THE RELIEF OF PEOPLES
STRICKEN BY CALAMITIES.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. Georges REYNALD, Substitute Delegate of France.

Senator Ciralo is the author of a proposal for the creation of an international organisation for the relief and assistance of populations stricken by calamities. With reference to this proposal, the Secretary-General has drawn up a report which the Council has decided to submit to the fourth Assembly, together with a resolution according to which the question would be referred to the Governments, which would be requested to take cognisance of these documents and to furnish their observations with regard to the matter.

The Fifth Committee has examined with great interest the report of the Secretary-General on this important question. It was anxious, in the first instance, to pay tribute to the highly humanitarian spirit which had prompted Senator Ciralo's proposal and it was happy to have the advantage of his presence in order to receive explanations from him and to express to him its keen sympathy with his generous initiative. It has also appreciated the very instructive document which has been submitted to it and which contains numerous suggestions calling for consideration and reflection. The various points are examined with an exact appreciation of their practical aspect and without concealing any of the difficulties which will arise in their execution. This piece of constructive work ends with the draft of an international pact giving precise details as to the organisation and methods of procedure.

The Fifth Committee considers that it is not necessary for the moment to discuss these methods of procedure, or to undertake a detailed study of the proposal. In order that the various Governments might have before them sufficient material to be able to pronounce an opinion on the question of principle, it was necessary to draw up a programme and to outline a scheme and a method ; but it would be premature for the Assembly to decide upon any details before the Governments consulted have been able to express their views on the subject and to formulate their observations.

The only idea which we wish to emphasise, because it clearly results from the opinions expressed and because it appears to be a useful commentary to the proposal itself, is that the result to be attained consists essentially in the organisation of immediate relief. Rapidity of action is to be aimed at rather than a wide scope. Every day, every hour lost may have disastrous consequences. It is of supreme importance that the stricken populations should have resources available and helpers trained for the work. Willingness and devotion are unavailing unless there is an organised force capable of directing such devotion into the right channels and of controlling relief work without hesitation and without delay. That is the aim which Senator Ciralo seeks to realise and which the League of Nations will no doubt wish to put before the various Governments.

It will do so with the greater confidence in view of the fact that the law of solidarity governs all alike with an ever-increasing force. The time is past when human beings remained isolated in their sufferings and when man bore the weight of his grief in solitude.

Pity is awakened, charity appeals to conscience; individuals, associations and peoples feel themselves bound by mutual obligations; all understand that no great calamity can take place in the world without every individual being called upon to take part in the work of relief and reparation. Hearts and minds are thus disposed to accept the law of mutual assistance. We could not refuse to turn these humanitarian tendencies to account and to organise them, which is the only way of utilising them to the best advantage and of putting them into effect.

It is in this spirit that the Fifth Committee has unanimously adopted the Italian Delegate's proposal to accept the resolution of the Council.

It submits the following resolution to the Assembly, and recommends its adoption:

"The Assembly, having noted with great interest the report prepared by the Secretary-General and the proposals of the Council with reference to the scheme of Senator Ciraolo, President of the Italian Red Cross, whose lofty principles of human solidarity and international reciprocity it approves:

"Authorises the Council to instruct the Secretary-General:

"1. To communicate to the various Governments these two documents as well as any remarks thereon which may be made by the Red Cross Organisation with the request that they communicate their observations on the subject to the Secretariat;

"2. To keep the Council informed from time to time of the replies of the Governments with a view to the ultimate submission to the Assembly of any proposals which, on the basis of these replies, the Council may see fit to make."

ANNEX 25.

A. 107. 1923.

WORK OF THE HIGH COMMISSION FOR REFUGEES: (a) RUSSIAN REFUGEES AND (b) BULGARIAN INHABITANTS EXPELLED FROM WESTERN THRACE.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. Simeon RADEFF, Delegate of Bulgaria.

I. RUSSIAN REFUGEES.

On June 27th, 1921, the Council approved in principle the appointment of a High Commissioner to co-ordinate the measures taken by the various Governments and independent organisations to deal with the problems raised by the presence of more than one and a half million Russian refugees scattered throughout Europe and the Far East.

Thanks to the co-operation of the various Governments concerned, to the efforts of the High Commission and to the valuable support afforded to it by many private relief organisations, it has been possible to effect a very substantial improvement in the situation of the refugees.

It was recognised from the outset that the problem presented two distinct phases, one being of a transitory nature and consisting of hospitality in various countries, and the other a permanent solution by repatriation to Russia if and when conditions in that country became favourable.

Substantial progress has been made in the transitory phase. Thirty-two Governments have recognised the model identity certificate for Russian refugees recommended by the High Commission. The problem of the refugees in Constantinople, which, at the time of the establishment of the High Commission, assumed very serious proportions, has been practically liquidated by means of the evacuation to other countries of more than 20,000 refugees, most of whom are no longer dependent on charitable organisations, but are now engaged in productive work. With money obtained from various sources, and with the co-operation of the Governments and relief organisations in the work of the High Commission, the High Commissioner has been able to assist the great majority of the refugees who have settled in Central Europe and the Balkans. Bulgaria, the Kingdom of the Serbs, Croats and Slovenes, Roumania, Czechoslovakia, Poland and Germany deserve the deepest gratitude for their generous hospitality to hundreds of thousands of Russian refugees.

A considerable movement for a return to their country having manifested itself among certain categories of the refugees, negotiations were opened with the Soviet Government in order to secure satisfactory arrangements for their return to Russia. Some 6,000 refugees have been

repatriated from Bulgaria and Greece under this arrangement, and the High Commission's representatives in Russia report that the concessions obtained from the Soviet Government have been loyally observed. It need hardly be pointed out that the High Commission has repatriated only those refugees who wished to return to their country, and that nothing has been done which might be interpreted as an encouragement to repatriation.

It is a principle recognised by all who are concerned with the problem of Russian refugees that this problem can only be solved by repatriation.

No other solution can be more than temporary. Such solutions are, none the less, important, for, if repatriation is the only final solution of the question, it must first be made possible. At the present time, however, it seems clear that, if the repatriation of Russian refugees were carried out on comprehensive lines, it would involve certain dangers for those concerned. The time is not yet ripe for them all to return to their own country. However, the internal political situation in Russia appears to be becoming gradually more stable, and there is ground for hope that general repatriation will not only be possible, but will also be the desire of the refugees themselves. When that time comes, it will be the High Commission's task to organise that general repatriation as it is now organising partial repatriation.

In brief, practical experience leads us to conclude that, for the present, the duty of the High Commission is to continue to organise the protection — in the widest sense of the term — of Russian refugees until such time as general repatriation, the only final solution of the problem, becomes possible.

II. BULGARIAN INHABITANTS EXPELLED FROM WESTERN THRACE.

The Council, at its meeting on April 21st, 1923, considered, at the request of the Bulgarian Government, the question of the expulsion of certain Bulgarian inhabitants from Western Thrace to different parts of Greece, and requested the High Commission to do all in its power to improve their situation.

In accordance with this request, the High Commissioner instructed his organisations in Greece to examine the possibilities of improving the condition of the people concerned, and, as a result, in close co-operation with the Greek authorities, has succeeded in securing the issue by the Greek Government of rations and allowances to these people.

Further, the High Commission, in conjunction with the Greek Government, examined the possibility of securing the return of these deportees to their homes.

The Greek Government accepted this proposal and has begun to carry it out. The High Commission has been informed that 2,000 deportees have already been repatriated, and that the return of 4,000 of them, who had been concentrated in Thessaly and in the island of Cérigo, is now proceeding. The High Commission has received assurance that repatriation will be accomplished by degrees in proportion as the Bulgarian villages are evacuated by the Greek refugees who had been temporarily accommodated there by the Greek Government, as they themselves have stated. The Greek Government must be congratulated on having accepted this happy solution of a problem which, in spite of its humanitarian guise, threatened to disturb its good relations with Bulgaria.

The work undertaken by the High Commission is immense, and the resources at its disposal are comparatively infinitesimal. Had it not been for the creative genius of Dr. Nansen, who knew how to co-ordinate every form of assistance and goodwill, the High Commission would not have been in a position to obtain the admirable results which it has achieved.

Your Committee wishes to state that Dr. Nansen has carried out his mission in a way which deserves the gratitude of all mankind.

The Committee proposes that the following resolution shall be adopted:

“ The Assembly,

“ Having heard the report of the High Commissioner of the League of Nations for Refugees on the work which he has accomplished during the past year:

“ Approves this report and wishes to express its entire satisfaction with the way in which the High Commissioner has discharged the duties entrusted to him and to record its very high appreciation of the services which he has rendered to the refugees and to the League.

“ Moreover, as the work with which the High Commissioner was entrusted is not yet terminated, and as it is essential, both in the interests of the refugees and of the Governments concerned, that his organisation should continue its activities:

“ It invites the High Commissioner to continue to apply the same methods of work as hitherto, especially in the matter of relief and assistance.

“ Considering that the present situation of the Russian refugees, although sensibly improved, remains very precarious, and that the termination of the activities of the High Commission would materially destroy the progress already realised on behalf of the refugees; and

“ Considering that the Assembly should provide the High Commissioner with sufficient funds to enable him to carry on his activities on an adequate scale:

“ The Assembly places at the disposal of the High Commissioner for the prosecution of his duties in the year 1924 a budget of 300,000 Swiss francs.

“ The Assembly further invites the Council to request the Governments of the Members of the League to continue to afford to the High Commissioner the support and assistance which they have hitherto given him, especially as regards the development of the means of general and professional education and the securing of employment for the refugees.”

ANNEX 26.

A. 108. 1923.

WORK OF THE HIGH COMMISSION FOR REFUGEES
ON BEHALF OF NEAR EAST REFUGEES.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : Dame Edith LYTTETON, Delegate of the British Empire.

The Fifth Committee of the Assembly had the advantage (in connection with its consideration of the Report of the High Commission for Refugees regarding the work accomplished on behalf of the refugees in the Near East) of a personal statement by Dr. Nansen, in which he emphasised the main features of the steps which had been taken by his organisation to give effect to the resolution passed by the Third Assembly.

It will be remembered that, at the time of the third Assembly, public attention and sympathy were focussed on the problem caused by the exodus of some hundreds of thousands of refugees from Asia Minor. It was felt that a practical expression of sympathy should be shown to these unfortunate people, and the Members of the Assembly were invited to recommend their Governments to contribute towards a fund which Dr. Nansen was asked to open for this purpose. As a result of appeals then made, a sum of £38,000 was placed at Dr. Nansen's disposal.

Immediately after the Assembly, Dr. Nansen, in his capacity as High Commissioner, proceeded to the Near East to make a study on the spot of the situation of these unfortunate refugees and to consider what steps could be taken to afford them relief and assistance.

His intention was to bring assistance impartially to Greek and Turkish refugees alike, and for this purpose he proposed to make a journey into Asia Minor to ascertain the situation of the Turkish refugees. He was unfortunately prevented from carrying this proposal into effect, but nevertheless, in a very short space of time, he placed 200 tons of flour at the disposal of the Turkish Red Crescent in Smyrna, supplied the same organisation with a large quantity of medical stores and arranged for the transport from Constantinople of 10,000 Turkish refugees in time to enable them to carry out the autumn cultivation of their lands in Asia Minor.

The High Commissioner, in addition, was able to bring very substantial relief to the Greek refugees. He was materially instrumental in securing the transport of the large number of 156,000 Greek refugees from Asia Minor to Greek ports. Five hundred tons of flour were despatched, within a few days of the closure of the Assembly, to numbers of refugees congregated on the islands of Chios and Samos, which served to avert a very serious food crisis on those islands. Moreover, he placed the sum of £5,000 at the disposal of the Epidemic Commission of the League, enabling that organisation to carry out a most valuable anti-epidemic campaign, which undoubtedly contributed in a large measure to the comparative immunity from epidemics among the refugees in Greece during the recent months.

Soon after his arrival in the Near East, Dr. Nansen became convinced that, if an early exchange of populations could be effected between the Turks and Greeks, it would constitute a very substantial contribution towards the solution of the refugee problems in the two countries. He was confirmed in this view by the High Commissioners of the Allied Powers in Constantinople, and by the Greek Government, who invited him to open negotiations with the Turkish authorities to this end. The High Commissioner subsequently attended the Lausanne Conference, and, at the invitation of the competent Committee, explained how, in his opinion, effect could be given to the wishes of the two countries in this respect. The Fifth Committee was glad to note that the proposals then made by Dr. Nansen were subsequently largely incorporated in the clauses of the Treaty of Lausanne which provided for the exchange of populations.

Thanks to the remarkable generosity displayed by certain private organisations, notably the American Red Cross, the Near East Relief and the All-British Appeal, energetic steps were taken in the autumn of last year to provide food for the hordes of refugees who had

arrived in Greece, estimated at that time to number no less than one million. The High Commissioner paid a very special tribute to the work carried out by the American Red Cross, which for several months provided food for no fewer than 800,000 refugees, and, at the time of the cessation of its activities in June of this year, was still feeding 500,000 refugees.

It was quite apparent, however, that the magnificent efforts made by these organisations could at the best be only of a temporary nature, and the High Commission, with commendable foresight, devoted its attention, with the small funds remaining at its disposal, to the preparation of a plan for the permanent solution of the question. In order to demonstrate that such a solution could be obtained at a comparatively small sum per head, by co-ordinating the efforts of the Greek Government and of the relief organisations, the Deputy High Commissioner, Colonel Procter, established, in October 1922, a model refugee settlement in Western Thrace for about 10,000 refugees. With the devoted co-operation of the Greek authorities, these refugees were very soon established in fifteen villages and enabled to cultivate the lands allotted to them or take up other employment. This experiment proved so successful that, although the harvest was by no means bountiful, the large majority of these refugees became self-supporting after this year's harvest.

The success thus achieved encouraged Dr. Nansen to urge that the solution of the whole refugee problem could be found on these lines. In view of the impoverished condition of Greece as a result of nearly ten years continual warfare, it was quite impossible for the Greek Government to make the necessary sum available for the purpose. The High Commissioner therefore recommended the Council to assist the Greek Government to float an external loan to enable them to grapple seriously with this stupendous problem. The Finance Committee of the League examined the guarantees which the Greek Government offered for the loan and indicated on what lines the Council could associate itself with such a project. The Deputy High Commissioner, Colonel Procter, proceeded to Greece and prepared a very comprehensive plan indicating how any funds obtained from such a loan could be utilised to the best advantage. The Greek Banks had undertaken to underwrite £1,000,000 sterling of the proposed loan, and the Bank of England had offered to advance a similar amount on condition that the Council appointed a Refugee Settlement Commission, with members nominated by the League and by American relief organisations. The Council would be invited at an early date to proceed with the appointment of such a commission.

The High Commissioner emphasised the absolute necessity of securing help through the League of Nations for the feeding of these people until they could be placed upon a self-supporting basis, seeing that the funds available from the loan can only be used for that purpose. But there must be a considerable hiatus. It is no use making plans to rescue people permanently if you let them die while those plans are maturing.

Finally, the Fifth Committee learned with satisfaction that the High Commissioner had come to the aid of the Allied authorities in Constantinople at a very critical moment and was instrumental in bringing most effective assistance to some thousands of Anatolian refugees who were in a desperate situation in Constantinople in the spring of the present year. Before the intervention of the High Commission, the plight of these refugees was such that, among a total of 27,000, no fewer than 500 deaths were recorded weekly from typhus, smallpox and other epidemics. The Allied authorities in Constantinople endeavoured to secure the transfer of these refugees to Greece, but the Greek Government found it impossible to receive them for fear of introducing contagious diseases among the other hundreds of thousands of refugees already in Greece. Moreover, it was incapable of adding still further to the heavy burden on its depleted resources. Although Dr. Nansen's funds were by this time exhausted, he found it impossible to ignore the urgent appeals which were made to him on behalf of these unfortunate people. His existing organisation in Constantinople, therefore, with the small funds which were all that the All-British Appeal could place at his disposal, undertook energetic measures for the disinfection and dispersal of these refugees. Cleansing camps were established, and such was the progress made that, in a remarkably short space of time, the mortality was reduced by as much as 90 per cent, and soon became normal.

The first important objection to the reception of these people in Greece having thus been removed, the High Commission proceeded to find a solution for the second difficulty. It secured promises for the feeding of the refugees for a certain time after their arrival in Greece, and made arrangements for the establishment of some thousands in its Western Thrace Settlement, so that, in August of this year, their transport from Constantinople by the Greek Government was effected.

The Fifth Committee was gratified to read, in the Report of the High Commissioner, letters from Admiral Mark Bristol, American High Commissioner, and Lieut.-General Sir Charles Harington, Officer Commanding Allied Forces in Constantinople, from Dr. Sadreddin, Director of the Turkish Health and Social Service Department, and from the Inter-Allied Sanitary Commission, recording their appreciation of the assistance afforded by the League in this connection.

M. Politis, in moving a vote of thanks for the valuable work which had been accomplished, paid a high tribute on behalf of his Government to Dr. Nansen, who had identified the name of the League in Greece with the highest ideals of that institution. From the time of his arrival, hope began to replace despair, and relief from all over the world was co-ordinated through his energy and determination. He emphasised that his Government considered

the continued association of the High Commission essential for the satisfactory solution of the refugee problem.

In conclusion, it must be emphasised that these multifarious and intensely difficult duties have not, as regards the Greek refugees, cost more to the League than 200,000 Swiss francs (£8,000).

The Assembly is asked to agree that these modest funds have only been adequate owing to the generous support of many organisations, notably the American Red Cross and the British Red Cross and other British private organisations. The High Commissioner begs that due consideration will be given to this necessity in the budget of the High Commission for Refugees for the year 1924.

Your Committee therefore proposes the following resolution :

“ The Assembly,

“ Having noted with great interest the Report of the High Commissioner for Refugees on the work which he has so successfully carried out on behalf of the refugees of Asia Minor, particularly with a view to carrying into effect a scheme for their permanent settlement in Greece :

“ Desires to express to him its gratitude for the eminent services which he has rendered to the League and to the refugees ; and,

“ Considering it desirable that he should continue to collaborate in the work undertaken on behalf of the refugees :

“ Invites the High Commissioner to co-ordinate the work of the other organisations dealing with the refugees and

“ Decides to place the necessary sums for this purpose at his disposal.¹ ”

The Fifth Committee notes with regret that the Fourth Committee has found it impossible, owing to the budgetary situation, to grant more than half the sum asked for, and feels that it will be difficult to bring the work to a satisfactory conclusion.

ANNEX 27.

A. 122. 1923.

QUESTION OF TRAVELLING FACILITIES FOR GROUPS OF BOY SCOUTS AND GIRL GUIDES.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. Valdés MENDEVILLE, Substitute Delegate of Chile.

The Fifth Committee has had referred to it a draft resolution submitted to the Assembly by the Chilean Delegation, worded as follows:

“ The Assembly of the League of Nations:

“ Considering that the international Boy Scout and Girl Guide movement, which promotes closer relations and a better understanding between the younger generations of all nations, is rendering very real and valuable services in the cause of world peace;

“ Considering that it would be desirable to afford all possible assistance to the Boy Scouts International Bureau, and that its registered national associations should receive aid and support in carrying out their international task:

“ Invites the Governments of the States Members of the League to give favourable consideration as regards travel by land or by water and passport and Customs regulations, to the question of the facilities which they can provide for those groups of Boy Scouts and Girl Guides which belong to a registered national Boy Scouts Association of any State Member of the League, when such groups are travelling from the territory of one State Member of the League to or through the territory of another State Member.”

The Boy Scout and Girl Guide movement is not one of those new, unknown or little-known movements in the case of which it is desirable to await the results they may produce before recommending them for consideration and support to public opinion and the various governmental organisations.

¹ The High Commissioner estimated that a minimum budget of 100,000 Swiss francs would be required for this purpose.

Founded before the 1914 war, the movement had, even at that date, a very considerable number of adherents throughout the world. To-day it includes more than two and a-half million young people of both sexes in every continent and in every land — and it continues to prosper.

The Fifth Committee was of the opinion that, in recommending the Assembly to invite the various Governments to grant the assistance requested, it would not be asking for support for some feeble undertaking which is destined to disappear. The Assembly is being asked to take under its protection a movement which is full of life and which is, I may add, inspired by ideals the noble and lofty character of which is not contested and whose usefulness is undeniable from the point of view which is of special importance to all of us here; the point of view of world peace.

Therefore, it is not only necessary, but actually indispensable, that this movement should receive every support and assistance.

It should not be forgotten that the thoughts and feelings of the younger generation are an important element in forming the conscience of humanity; a pure and healthy element freed from all prejudice, rancour and memories poisoned by hatred; an element of enthusiasm and generous sentiment.

For that reason we should assist the international movement on behalf of Boy Scouts and Girl Guides, a movement which, by the constant exchange of visits, by camp life, by games played and by happy days spent together, during which the young people get to understand one another, increases from day to day their feelings of comprehension, respect and love for their neighbours whatever may be their language, race or continent.

At the suggestion of the delegate of the Irish Free State, it was proposed that the facilities to be granted to the Boy Scouts and Girl Guides should be extended to groups of students at higher or secondary educational institutions. A substitute resolution was therefore drawn up to meet this view. This resolution was approved by the Fifth Committee and is submitted for adoption by the Assembly :

“The Assembly, considering the importance of encouraging contact between the younger generations of different nationalities, invites the Governments of the States Members of the League of Nations to grant all possible facilities for travel by land or by water :

“(a) To groups of students at higher or secondary educational institutions,

“(b) To groups of Boy Scouts and Girl Guides,

belonging to a registered national association of all States Members of the League, when such groups are travelling from the territory of one State Member of the League either through or to the territory of another State Member.”

ANNEX 28.

A. 117. 1923.

QUESTION OF SLAVERY.

REPORT SUBMITTED BY THE SIXTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: Dr. NANSEN, Delegate of Norway.

The Sixth Committee has adopted and has the honour to transmit to the fourth Assembly the following report and proposed resolution submitted to it by the First Sub-Committee :

The First Sub-Committee of the Sixth Committee has taken note of the information on the question of slavery presented to the fourth Assembly by the Council, especially Document A. 18. 1923. VI.

The Sub-Committee fully agreed with the opinion expressed in the Council Resolution of July 5th, 1923, “that the information which has been collected so far from the States Members of the League is not adequate to provide the basis of a sufficiently complete report”, and that the enquiry into the question of slavery must consequently be continued and extended.

The Sub-Committee wished to lay special stress upon the desirability of obtaining a satisfactory result from this enquiry at the earliest possible date.

Different views were expressed by the members of the Sub-Committee regarding the methods which might be adopted in collecting and sifting the material in question. Everyone agreed that this difficult task should be entrusted to some expert body, but, considering the present financial position of the League, all wished to avoid extra expenditure. While some members were of the opinion that the question of slavery in general might be referred to the Permanent Mandates Commission, others suggested that the Council might possibly avail itself of the services of the International Bureau at Brussels, which is at present only dealing with the liquor traffic; still others suggested that a special Advisory Committee might be appointed.

The Sub-Committee finally agreed that the question of ways and means for the continued enquiry might be left to the discretion of the Council, and decided to propose to the Sixth Committee that the following draft resolution should be submitted to the Assembly :

“ The fourth Assembly of the League of Nations,

“ Having taken cognisance of the information obtained up to the present from Members of the League and considering that it cannot form the basis of a sufficiently complete report :

“ (a) Expresses to the Council its gratitude for the steps taken to carry out the request made by the third Assembly relating to the question of slavery ;

“ (b) Requests the Council to entrust to a competent body the duty of continuing the investigation with a view to obtaining further information on the subject, particularly from the Governments of States not Members of the League, and, if necessary, from individuals or organisations whose competence and reliability are recognised ;

“ (c) Hopes that the results of this investigation be communicated, if possible, to the fifth Assembly, and expresses the desire that, in any case, the fifth Assembly receive a report showing the progress made in different countries with regard to the suppression of slavery in all its forms.”

ANNEX 29.

A. 105. 1923.

ADMISSION OF ABYSSINIA TO THE LEAGUE OF NATIONS.

REPORT SUBMITTED BY THE SIXTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. MEIEROVICS, Delegate of Latvia.

The Sixth Committee has the honour to communicate herewith to the Assembly the report of the Sub-Committee appointed to examine the request of Abyssinia for admission to the League of Nations.

The Committee has adopted the conclusions of that report.

The Abyssinian Delegation having received the necessary full powers and signed the declaration referred to in the Sub-Committee's report, the Committee declares itself in favour of the admission of Abyssinia to membership of the League of Nations.

REPORT OF THE SECOND SUB-COMMITTEE OF THE SIXTH COMMITTEE ON ABYSSINIA'S APPLICATION FOR ADMISSION TO THE LEAGUE.

The Sub-Committee instructed by the Sixth Committee to consider the application for admission made by Abyssinia has the honour to submit the following report to the Committee :

GENEVA, *September 14th, 1923.*

According to precedent, the Sub-Committee has based its investigations on the questionnaire used for the admission of new Members by the first three Assemblies. The questionnaire is as follows:

1. Is Abyssinia's request for admission into the League of Nations in order ?
2. Is Abyssinia recognised *de jure* and *de facto*, and by what States ?
3. Does the country possess a stable government and well-defined frontiers ?
4. Is it fully self-governing ?
5. What have been the acts and declarations of Abyssinia (a) as regards her international engagements, (b) as regards the stipulations of the League with reference to armaments ?

To the first question the Sub-Committee has returned an affirmative answer.

In reply to the second question, the Sub-Committee notes that Abyssinia is recognised by and has concluded treaties with several Powers.

The reply to the third question is in the affirmative.

With regard to the fourth question, the Sub-Committee has been informed that Abyssinia is governed by Her Majesty the Empress, assisted by the Crown Prince as Regent and Prime Minister, and by a Council of Princes. The Sub-Committee, although it found itself unable to determine exactly the extent of the effective control of the central authority over the provinces remote from the capital, is of opinion that Abyssinia is fully self-governed.

With regard to the fifth question, the Sub-Committee has taken due note of a telegram from the Crown Prince of Ethiopia, dated August 1st, 1923, containing the following declaration:

“The Abyssinian Government is prepared to accept the conditions laid down in Article I of the Covenant and to carry out all obligations incumbent upon Members of the League of Nations.”

The Sub-Committee notes that Abyssinia has by this declaration given proof of her goodwill with regard to the fulfilment of her international engagements. In order to assist Abyssinia to overcome the difficulties which may in the past have been the obstacles to such fulfilment, the Sub-Committee recommends to the Committee that, before giving its opinion to the Assembly regarding the admission of Abyssinia, it should request Abyssinia to sign the following declaration:

“The Empire of Abyssinia, following the example of other sovereign States which have given special undertakings on the occasion of their admission to the League of Nations, makes the following declaration:

“1. Abyssinia adheres to the obligations formulated in Article II, paragraph 1, of the Convention signed at St. Germain-en-Laye on September 10th, 1919, amending the General Act of Berlin dated February 26th, 1885, and the General Act and Declaration of Brussels dated July 2nd, 1890.

“2. Abyssinia, recognising as binding the system at present established with regard to the importation of arms and ammunitions, undertakes to conform to the principles set forth in the Convention and Protocol signed at St. Germain-en-Laye on September 10th, 1919, and in particular to the stipulations contained in Article VI of the said Convention.

“3. Abyssinia declares herself ready now and hereafter to furnish the Council with any information which it may require, and to take into consideration any recommendations which the Council may make with regard to the fulfilment of these obligations, in which she recognises that the League of Nations is concerned.”

The Sub-Committee begs to inform the Committee that the full powers of the Mission sent by Abyssinia to Geneva are as follows:

“On behalf of Her Majesty the Queen of the Kings of Ethiopia, I have the honour to give you the names of our delegates, which are as follows:

- “1. DEDJAZMATCH NADEOU, First Delegate;
- “2. COUNT ROBERT LINANT DE BELLEFONDS;
- “3. ATO FASSIKA.

“We have instructed the above-mentioned delegates to present you with the letter requesting our admission to the League of Nations, which bears the seal of Her Majesty Zeouditou, Queen of the Kings of Ethiopia, and of myself, and we beg you to give them the reply of the League to our request.”

The Sub-Committee also notes that the letter of His Imperial Highness Ras Tafari, Crown Prince and Regent of Abyssinia, dated August 12th, 1923 (Document A. 55. 1923), contains the following paragraph:

“We have therefore the honour to request you to communicate to us through our Mission the League's decision regarding the admission of our Government, for which we have applied by telegram. We have not sent Plenipotentiaries to discuss and accept whatever may be required of us, because no negotiations have taken place upon this point. As soon as our delegates have informed us of the League's decision, we shall be ready to send fresh delegates furnished with full powers to deal with all questions.”

The Sub-Committee therefore recommends that the Abyssinian Mission should be requested to inform its Government that the Committee instructed by the Assembly of the League of Nations to consider Abyssinia's application for admission desires, before proposing that the Assembly should come to a decision on this matter, that the representatives of this Empire, furnished with full powers, should sign as it stands and without addition the above declaration.

With regard to the stipulations of the League with reference to armaments, the Sub-Committee has duly noted the report of the Permanent Advisory Commission on Military, Naval and Air Questions, which forms an appendix to the present report.

Appendix.

ABYSSINIA'S MILITARY, NAVAL AND AIR FORCES.

Opinion of the Permanent Advisory Commission.

The Commission is of opinion that, from a military, naval and air point of view, the present military, naval and air forces of Abyssinia do not constitute an objection to her admission to the League of Nations.

ANNEX 30

COST OF LIVING AT GENEVA; SALARIES; PENSIONS.

REPORT SUBMITTED BY THE FOURTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. J. A. BARBOZA-CARNEIRO, Substitute Delegate of Brazil.

When the second Assembly adopted certain resolutions, in 1921, regarding the organisation of the Secretariat and the International Labour Office, it left to a subsequent Assembly the duty of revising one of the provisions with regard to the salaries of officials and of meeting one of the latter's desires.

The second Assembly desired the salaries of officials to be determined partly by the cost of the necessities of life in Geneva. For this purpose, it decided that the salaries should be divided into two portions: the one fixed and the other variable. But, while establishing this principle and even laying down the suggested percentage which was to constitute the variable portion, the Assembly strongly recommended a further examination of the way in which the principle should be applied. It was with this object in view that the Salaries Adjustment Committee, in consequence of the decision reached by the second Assembly, undertook a thorough examination of the question. This Committee made a very complete enquiry among the staff and submitted its conclusions to the Supervisory Commission. The latter, in its turn, carried out a very detailed study of the whole question.

The Fourth Committee examined the results of the enquiries carried out by these bodies and instructed a Sub-Committee¹ to present a report on the provisions which should be adopted.

It also instructed the Sub-Committee to express its opinion as to the way in which the legitimate desire of the staff, to which I have already referred, should be carried into effect — *i.e.*, the establishment of a Pensions Fund.

It is therefore with regard to these two points that I have the honour to submit to you a certain number of resolutions adopted by the Fourth Committee.

COST OF LIVING IN GENEVA.

Variable Portion of the Salaries.

(1) The fundamental question which had to be considered was that of the data which would enable the variations which had occurred in the cost of living to be determined. The Fourth Committee agreed with the opinion of the Supervisory Commission in considering that the various items of expenditure used to estimate the cost of living should include food, heating and light, rent and domestic service. The Committee adopted the following weights:

Food	6.5
Rent.	3
Heat and lighting	1
Domestic service	1

(2) The Committee has adopted the figures published by the Swiss Federal Government for calculating the variations in the price of food, heat and lighting. Since no official statistics of rent nor of servants' wages exist, the Committee had to content itself with the information obtained by means of the enquiry mentioned above, as well as the information furnished by the Société des Intérêts immobiliers, the Chambre de Travail and by various employment agencies in Geneva.

¹ The Sub-Committee was composed as follows: Sir James ALLAN (New Zealand), Chairman; M. BARBOZA-CARNEIRO (Brazil); M. BUERO (Uruguay); M. GIURIATI (Italy); M. PETRESCO-COMMENE (Roumania); Sir Rennell RODD (Great Britain); M. RÉVILLAUD (France).

(3) As the salaries were revised and determined by the Second Assembly, the Committee adopted as the basic period of its calculations the average of the last six months of the year 1921, the index number for this basic period being fixed at 100¹.

(4) The Committee recommends that the question of the reductions or increases of salaries shall be examined once a year, and that the year shall be regarded as ending on July 31st.

(5) The average of each year shall be compared with the basic figure in order to calculate the increase or the decrease in the cost of living.

(6) The Committee recommends that no change shall be made in salaries as long as the increase or decrease does not reach 10 % of the index which caused a change in the salaries².

(7) The Committee has ascertained that there has been a decrease for food, coal and lighting, but that there has been no decrease in rent or in the wages of domestic servants. The average decrease for the four items is 13.2 %.

(8) The Committee is of the opinion that this decrease permits a reduction of 13 % of the variable portion of the salaries of all the officials appointed according to the resolutions of the second Assembly, that is to say, those who have a contract in which it is stated that the salary is composed of two parts, one fixed, the other variable, the latter subject to changes in accordance with the cost of living in Geneva.

(9) The Committee proposes to fix the percentage of that portion of the salary which is to be considered variable at the same figure in the case of all established officials (*au titre international*). It considers that this portion should be 20 %. The percentage reduction or increase on variable salaries shall be calculated on the original variable salary and not on the variable salaries on which reductions have already been made³.

(10) The Committee is of opinion that the scale of annual increments (Annex I of the Staff Regulations of June 1st, 1922) should not be changed, but that the increment once received becomes part of the salary, and is divided like the total salary into a fixed and variable portion, and that the variable portion is subject to revision in accordance with the cost of living. It recommends, in order to facilitate calculations, that the Secretariat and the International Labour Office should draw up a complete table, showing the fixed portion and the variable portion for all the different salaries. This table should be accompanied by an explanatory note.

(11) The Committee is of the opinion that the maximum provided for in the Table of Annex I of the Staff Regulations is dependent upon the cost of living, that is to say that, in its opinion, this maximum was established on the hypothesis that the prices of 1921 would be maintained; if the variable portion is reduced or increased, this maximum should be correspondingly reduced or increased.

(12) The Committee proposes that the decrease of 13 % on the variable portion should come into force from January 1st, 1924.

(13) The Committee considers that all increments shall be liable to decrease as regards the variable portion from the date of their coming into force only.

(14) The Committee has considered the case of the salaries in pounds sterling of certain high officials. It recognises that the salaries of these officials can only be divided into a fixed and a variable portion with their consent.

(15) The Fourth Committee has learnt with great satisfaction that Sir Eric Drummond, who is legally exempt from all decrease of his salary, has, on his own initiative, agreed to consider 10 % of his salary as a variable portion, and subject, therefore, to possible decrease.

(16) Sir Eric Drummond's fine example has been followed by all other high officials, who have agreed to consider 10 % of their salaries as a variable portion.

(17) The Committee has further learnt with great satisfaction that the Director of the International Labour Office, as well as the Deputy Director, although appointed by the Governing Body of the International Labour Office, in conformity with Articles 394 and 395 of the Treaty of Versailles, have agreed to consider 10 % of their salaries as a variable portion.

(18) The Committee proposes therefore a decrease of 13 % on the variable portion of the salaries of the Secretary-General, of all the high officials who have recognised the principle of a variable portion, and also on the variable portions of the salaries of the Director and Deputy Director of the International Labour Office, this being in conformity with paragraphs 13, 14, 15 and 16 above.

(19) The Fourth Committee expresses its thanks to the Secretary-General, the Director of the International Labour Office, and all the high officials who have consented to a proportion of their salary being considered as variable. The Committee proposes that the Secretary-General and the Director of the International Labour Office be invited to continue negotiations with officials who were appointed under special conditions or who have not yet had the opportunity of agreeing to the principle of a variable portion of their salaries, in order to obtain a solution in the sense indicated in the five foregoing paragraphs.

(20) The Fourth Committee considers that by reason of the decrease in the cost of living the salaries of the locally recruited staff should be reduced.

¹ Sir James Allen declared that he was unable to accept this last point.

² Thus prices have fallen 13 % since the basic period. The index for 1923 is therefore 87, and this index will form the basis for subsequent calculation. Ten per cent of 87 = 8.7, therefore if prices rise to 87 plus 8.7 = 95.7 or fall to 87 - 8.7 = 78.3, a further revision will have to take place.

³ Let us therefore suppose a fresh reduction of 11 per cent with reference to the year 1921 (100), the variable portion of the salary will be decreased by 11 per cent on the initial total.

This reduction should be effected by taking as the basis the reduction contemplated in the salaries of municipal, cantonal, and federal officials in Geneva. It therefore considers that it would be equitable to make a general reduction of 3½ per cent.

Salaries below 3,000 francs a year should receive special consideration.

The Committee proposes that these modifications should be carried into effect immediately. They must, however, be subject to the results of a thorough examination of all the aspects of the question, and especially the problem of classifying the staff in conformity with the second paragraph of this article. The Supervisory Commission is requested to present a report on this subject as soon as possible to the Secretary-General and to the Director of the International Labour Office.

(21) The Fourth Committee proposes that the Assembly should request the Supervisory Commission to undertake, in consultation with the competent officials, a revision of the texts of the various contracts, in such a manner as to remove any doubts as to their legal interpretation.

(22) The Fourth Committee proposes that the question of the salaries of the officials of the Permanent Court of International Justice, as well as of the officials employed in the London and Paris offices and elsewhere, should be considered by the Supervisory Commission. The latter should take as its guide the principles contained in this report. Any modifications which may be decided upon should come into force on January 1st, 1924.

ESTABLISHMENT OF A PENSIONS FUND FOR THE OFFICIALS OF THE LEAGUE OF NATIONS

As the time of the Sub-Committee has been very largely occupied in investigating the difficult question of the cost of living in Geneva, it has not been able to consider the details of the very important question of the establishment of a Pensions Fund for officials of the Secretariat and of the International Labour Office. It is, however, of opinion that the settlement of this question, which is a matter of special interest to the staff, can no longer be deferred. It has noted the fact that the Supervisory Commission has thoroughly investigated the matter and has considered the views of various actuaries, in particular those of Sir Alfred Watson, British Government Actuary, and Commendatore Toja, Actuary of the National Insurance Institute at Rome. The Fourth Committee concurs in the opinion of the Sub-Committee, according to which the Assembly should adopt a decision on the principle involved and leave the Supervisory Commission free to prepare the final detailed regulations of the scheme. I accordingly have the honour to submit to you the following resolution:

"The Fourth Committee approves of the creation of a compulsory provident fund in the form proposed by the two actuaries and the Supervisory Commission. The scheme in question should come into force as from January 1st, 1924.

"It proposes that the Supervisory Commission should be authorised to draw up the final detailed regulations of the scheme and that the annexed memorandum prepared by Sir James Allen should be communicated to the Supervisory Commission for its consideration.

"It proposes that the liabilities imposed on the League budget in consequence of this scheme should not exceed 5 % of the total salaries of the officials to whom the pension scheme will apply."

These, gentlemen, are the proposals made by your Committee. I am anxious that you should realise that we have endeavoured to obtain as much information as possible. The Sub-Committee entrusted with the consideration of this question heard with great interest the very fair statement by Mlle. Mayras, head of the Pool, with regard to the position of the subordinate staff. The Sub-Committee received a petition from the International staff, signed by 220 members of the Secretariat, submitting certain remarks on the cost of living in Geneva. The Sub-Committee on several occasions heard statements made by Professor Attolico, Under-Secretary-General; Mr. Butler, Deputy Director of the International Labour Office; Mr. Loveday, member of the Salaries Adjustment Committee; M. La France, also a member of that Committee; and Mr. Nixon, a member of the International Labour Office, who have been present at all our meetings and who have furnished information on the different points raised. It was also indebted to Mr. Mackinnon Wood for valuable information and for an opinion on the legal status of certain members of the Secretariat, as well as on the interpretation of certain texts which we have had to consult. I wish to convey my sincere thanks to all these gentlemen. The Fourth Committee concurs most heartily in the warm thanks addressed by the Sub-Committee to its distinguished President, Sir James Allen, to whose devotion and competence is due the fact that the Sub-Committee was able to conclude within a very short time the consideration of the delicate question which had been submitted to it.

The Committee also expresses its thanks to the most efficient Secretary of the Sub-Committee, Captain Arnould.

Finally, gentlemen, I have the honour to submit to you the following resolutions:

RESOLUTIONS.

" I. — The Assembly approves the report presented by the Fourth Committee with regard to the Cost of Living in Geneva, Salaries and the establishment of a Pensions Fund.

" 2. — The Assembly decides to fix at 20 per cent the variable portion of the salaries of all established officials (*au titre international*) of the Secretariat of the League and of the International Labour Office.

" 3. — The Assembly decides that a reduction of 13 per cent. shall be made in respect of the year 1924 on the variable portion of the salaries of all the officials mentioned in Resolution 2.

" 4. — The Assembly decides that the salaries of the Secretary-General, the Director of the International Labour Office, and of all the high officials engaged at a fixed salary who have agreed that part of their own salaries should be regarded as a variable portion, shall, from now onwards, be composed of two portions, the one fixed and the other variable, the latter portion being 10 per cent of their present salary.

" 5. — The Assembly decides that the variable portion of the salaries of the officials referred to in Resolution 4 shall undergo a reduction of 13 per cent in respect of the year 1924.

" 6. — The Assembly decides that the salaries of the locally engaged staff shall undergo a reduction in accordance with the proposals contained in paragraph 20 of the report of the Fourth Committee.

" 7. — The Assembly decides to establish a compulsory Pensions Fund for the officials of the Secretariat and the International Labour Office. It instructs the Supervisory Commission to draw up the final detailed regulations of the scheme in accordance with the proposals contained in the report of the Fourth Committee. It decides that the liabilities imposed on the Budget of the League of Nations in consequence of the scheme shall not exceed 5 per cent of the total salaries of the officials affected by the pensions scheme which has been approved by the Supervisory Commission, and which is referred to in the report of the Fourth Committee already mentioned."

Appendix.

PENSIONS AND DEFERRED PAY.

The Assembly, in 1921, when adopting the report submitted by the Fourth Committee on the Conclusions and Proposals of the Committee of Experts, approved of the principle of a contributory pensions scheme (see Records of the Second Assembly p. 603).

It also indicated:

(1) That the scale of salaries was "based on the assumption that the officials concerned would be called upon to make at least some contribution towards pension in the form of deferred pay"

(2) That no pension should be recommended for the higher officials (Secretary-General, Deputy-Secretary-General, Under-Secretary-General and Directors); and

(3) That provision should be made for a pensions scheme in the contracts of the subordinate staff.

The contracts made with the staff at the beginning of 1921 definitely refer to the proposed institution of a pension scheme, but give the officers concerned the right to opt out of such scheme should any such officer so desire.

The Supervisory Commission recommended in A. 1 (2) 1923, certain principles for the pensions and deferred pay scheme, "as revised in the light of the exhaustive consideration which it has now been possible to give to the whole subject". These principles are set out on page 2 and 3 of the documents referred to, and attached to the report are two Annexes setting out the opinions of two actuarial experts, Annex 1 being a memorandum by Commendatore Toja and Annex 2 a memorandum by Sir Alfred Watson.

Commendatore Toja suggested two schemes:

- (1) An individual account system, and
- (2) A combination of the individual account with a system of endowment assurance.

Sir Alfred Watson, commenting on the alternative proposals suggested by Commendatore Toja, states (*vide* page 8): "I am myself impressed by the advantages of the Provident Fund system, as a single alternative to the establishment of a Pensions Fund", and Commendatore Toja (in Annex 3, making some observations on Sir Alfred Watson's memorandum) admits certain practical difficulties (see page 11) which may arise with regard to the system of mixed insurance. I think it may be taken for granted, therefore, that the only possible scheme is that of the Provident Fund system.

Accumulated Capital at Age of Sixty.

Sir Alfred Watson, in his memorandum (page 8) makes certain suggestions. He states that "the Provident Fund system gives the official, subject to such conditions as the League may require, the control of the combined savings when he reaches the age of sixty. It must be expected that only if he is then in a sound state of health will an annuity be bought", and it is for the Sub-

Committee to decide whether the combined savings at the age of sixty shall be paid over to the official concerned or whether the amount shall be used for the purchase of an annuity, or whether the choice should be left to the official concerned.

Death before Age of Sixty.

In the case of death before sixty, Sir A. Watson points out that the accumulated capital "is available as a death benefit at all stages of the official's career" and he draws attention to the Appendix to Commendatore Toja's Memorandum (page 7) and points out that, if death occurs after five years' service, the accumulation in the Provident Fund would be equal to about half a year's salary, and at ten years to practically one year's salary (see top of page 9). He states that, "in the Superannuation system for the English Civil Service, a death benefit of one year's salary, after the first five years of service, is provided" and that "it would seem necessary to make some kind of subsidiary arrangement under which the amount paid out on the death of an official would never be less than an amount equal to one year's salary at the time of his decease".

"To provide for this would mean setting up a small fund, under the control of the League, which would be liable to make payments of diminishing amount according to the length of service, in the event of death occurring during the first ten years", and that "in effect the plan would mean the transfer to a temporary death benefit fund of not more than 5 per cent of the combined contributions for the first ten years of service".

Commendatore Toja, in Annex 3, gives approval to this scheme. I do not think that the Sub-Committee has sufficient time to exploit this question. I think we should approve of the principles of the scheme and refer the matter to the Supervisory Commission to work out the details.

Premature Invalidity.

Sir Alfred Watson proposes to deal with the two risks — premature invalidity and death within the first ten years — "through one fund, to which he would be disposed to recommend" that "10 per cent. of the joint contributions, *i.e.*, 1 per cent of salary, should be paid for the first ten years of service, this provision being supplemented by such amounts as can be transferred out of the League contribution in respect of resigning officials on the plan discussed above".

I think in this case also we should approve of the principle and refer it to the Supervisory Commission to work out the details.

Leaving Service and Dismissals.

These contingencies are dealt with in Annex 1 of the Supervisory Commission's supplementary report dated July 12th, 1923 (Document A. 1 (b). 1923). I have examined this Annex and the Memorandum by the Legal Section (Annex 2) and the observations by Sir Alfred Watson (Annex 3), and I recommend the adoption of Annex 1, with the amendments as shown in the attached copy.

Income Tax.

Sir Alfred Watson lays stress on the necessity for making such special arrangements as will secure to the Fund freedom from income tax on its investments, in whatever country these may be placed, and in this connection he points out that "in the case of superannuation funds established in England and approved by the Board of Inland Revenue for the purpose, the whole of the interest income, as well as the contributions from employers and employees, is exempt from income tax by statute" (see page 9 of A. 1 (a)).

I think that it is very necessary that this provision should be secured and that this recommendation should be referred to the Supervisory Commission.

Amendments to Annex 1 to Document A. 1 (b). 1923.

Article 2.

Delete whole article and substitute the wording recommended by the Legal Section, *viz.*:

"Officials of or above the rank of directors of sections, officials receiving salaries equal to or above the scale assigned to that rank, and officials who, being members of a permanent civil service, are provided for under a pensions scheme established for that civil service shall not contribute to, or participate in, the benefits of the Fund.

"Whatever the Organisation of the League to which they belong, all permanent officials other than those coming within the provisions of the preceding paragraph shall contribute to the Fund."

"For the purpose of this article 'permanent official' shall mean an employee serving under a contract not expressed to be: (1) by the day, week or month, or (2) of less than seven years' duration."

Article 3.

Alter word "corresponding" to "equal".

Article 4.

Insert in the last line between the words "shall" and "be", the words, "except as hereinafter otherwise provided".

Article 8.

Delete the first two lines and insert in lieu thereof the following wording, suggested by the Legal Section:

"Subject to the conditions set out under paragraphs (a), (b), (c) and (d) of this article, any member effecting a policy of assurance for any benefit dependent upon his life may charge the premium to his account."

Note. — The Supervisory Commission should define the words "competent financial official".

Article 10.

Note. — The Legal Section has indicated that "it is not possible absolutely to prevent a member from assigning or putting a charge on his own deposits" and they have suggested an amendment as follows:

"In the event of any member placing a charge on, or assigning, the balance of the credit of his account, any part of such balance, or any policy effected in accordance with Article 8, he shall thereby forfeit all right to any part of the contribution made on his behalf to the Fund by the League."

Sir Alfred Watson's comments on this will be found on page 7, paragraph 5.

This is very largely a legal question, and I think all that the Sub-Committee can do is to determine the principles, and for this purpose I recommend as follows:

"That it is most important to provide that the members' contributions should not be liable to assignment or mortgages for the benefit of third parties, and that this be referred to the Supervisory Commission to carry into effect."

Article 11.

The Legal Section has suggested an amendment as follows:

"The deletion of all the words after 'year' in the third line, and the substitution of the following in lieu thereof: 'The competent financial official shall, on the request of any member, furnish a certificate showing the balance to the credit of that member's account'.

With this Sir Alfred Watson disagrees.

Article 14.

Delete whole article and insert the following wording suggested by the Legal Section:

"If any member has become invalidated by injury or disease to such an extent that he cannot efficiently discharge his duties, and if his appointment is on that ground terminated, or if the post of any member is abolished, there may be granted to him from the 'Death and Invalidity Fund', by way of gratuity or periodical allowance, such amount as the Supervisory Commission may approve, regard being had to the sum payable to him out of his account under these regulations."

Article 16.

Note. — The Legal Section has drawn attention to the expression "trustees" (see beginning of Annex 2), and Sir Alfred Watson's comments thereon will be found in paragraph 1 of Annex 3.

Article 17.

I recommend that this should stand as shown in Annex 1, but I would draw attention to the comments of the Legal Section concerning this article which appear on page 6.

ANNEX 31.

• ALLOCATION OF EXPENSES OF THE LEAGUE. •

REPORT SUBMITTED BY THE FOURTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : Sir Rennell RODD, Delegate of the British Empire.

In accordance with the practice adopted in previous years, the Fourth Committee of the Assembly appointed a Sub-Committee to consider the question of the allocation of the League's expenses.

The first duty imposed upon the Sub-Committee was to consider applications which had been received from more than one group of delegates, who were dissatisfied with the allocation of their country, under the provisional scale adopted by the third Assembly, to be allowed to send a representative to take part in the deliberations of the Sub-Committee. Its members were unanimously of opinion that such a request, which would have to be referred to the Fourth Committee in a plenary meeting, should not be pressed. If it were entertained it would be difficult to refuse the same privilege to other delegations which might prefer similar requests, and the Sub-Committee would be in danger of losing its essential character. There were also certain questions which might have to be discussed with a sub-committee of the First Committee. It was desirable therefore to preserve parity of numbers between the two sub-committees, which would both consist of six members. All delegations, however, which desired to place their views before the Sub-Committee would, on their expressing a desire to be heard, be invited to depute a member of their delegation for the purpose. In view of these arguments and assurances, the States in question did not press their application.

The Sub-Committee then proceeded to discuss the report of the Allocation Committee (A.¹ 23. 1923. II). M. Réveillaud, who had presided over its deliberations, was invited to attend and offer any further observations which might be of assistance. He emphasised the reasons which had made it impossible up to the present time to submit a proposal for a definite scheme and these appeared to your Sub-Committee to be convincing. A unanimous decision was taken: (a) to recommend the report of the Allocation Committee for approval by the Fourth Committee; (b) to recommend that the provisional scale adopted by the third Assembly should be maintained for another year, modifications therein being only entertained in special cases of absolute necessity; and (c) to recommend that the Allocation Committee should continue its work with a view to establishing a definite scale. It must be emphasised that, so long as the definitive scale is not established, the difficulties which the Sub-Committee experienced this year will continue to present themselves.

The Allocation Committee had also given unofficial consideration to the number of units which should properly be assigned to the Irish Free State in the event of its joining the League of Nations. Following the principles hitherto observed in determining such questions, the Allocation Committee had expressed the opinion that the contribution would equitably be represented by 10 units. It was submitted that these 10 units, which had hitherto been included in the 95 assigned to the British Empire, should equitably be deducted from those 95, which would then be reduced to 85. At the same time, as the entry of the Irish Free State would entail certain new obligations on the League which might be estimated in terms of 3 units, it was recommended that only 7 and not 10 units should be deducted from the total of the British Empire. These suggestions were approved by the Sub-Committee.

The Delegates of the Irish Free State were invited to attend and offer any comments they might have to make on the amount of their assessment. They cordially expressed their readiness to accept the suggested provisional allocation, which the Sub-Committee recommended for adoption.

The Sub-Committee further recommended that, should Abyssinia and the Hedjaz become Members of the League, their units should be 2 and 1 respectively.

¹ Published separately.

The Sub-Committee then discussed with representatives of the First Committee appointed for the purpose, M. Limburg and Baron Marks von Württemberg, the actual juridical aspect of the allocation of the expenses of the League. The second Assembly had decided to amend the final paragraph of the Covenant, which applies the scale of the Universal Postal Union, and to replace it by a paragraph to the following effect: "The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly."

This amendment has received the ratification of a majority of the States Members, but it also requires, in order to come into effect, the ratification of all the States which are represented on the Council. The ratification of one of these is still wanting and it can hardly now be anticipated that it will be received during the present Session of the Assembly.

In default of such ratification, it is necessary to continue the system adopted last year of a provisional scale accepted by common consent in a unanimous vote of the Assembly. It may be contended that this system has no juridical value. But it offers the only means of escaping from the application of the scale of the Universal Postal Union, which has been shown to entail manifest injustices.

If and when the ratification of the amendment to Article 6 is completed, the Assembly will fix a scale of allotment, which will then have juridical value. Unanimity will, however, still be necessary for its acceptance, as there is no provision for modifying in decisions of this nature the necessity for unanimity which is required by Article 5 of the Covenant.

The establishment of a provisional scale for 1924 was not in the terms of reference of the Allocation Committee and it would therefore seem that it was assumed that the provisional scale for 1923, as it had been amended, would be maintained until a definite scale had been approved.

The Sub-Committee studied the representations made both in writing and orally by delegates of the relatively small number of States which had appealed against the allocation assigned to them for 1923. They were five in number.

The position adopted by Persia is somewhat different from that of the other Delegations who have advanced claims for reductions and therefore demands special mention. The scale of Persia was reduced for 1923 from ten units, at which it had originally been fixed, to six. The Persian Delegate represented that the value of these six units (163,179 gold francs in 1923) exceeded the amount which the Persian Parliament had voted and was prepared to vote again, namely 125,000 gold francs. This they regarded as a maximum. The fact that the money value of the unit varied every year and could not be ascertained until the budget was established had not shaken the decision to limit the Persian contribution to that maximum. He had consequently at the last Assembly refrained from voting in favour of the provisional scale, but had not stood in the way of its acceptance by directly opposing it. It would only be possible by reducing still further the number of units assigned to Persia to bring her contribution within the maximum sum which, as the Sub-Committee understood, the Persian Government regards as having been laid down when she entered the League of Nations.

The Sub-Committee was unanimously of the opinion that it would be very dangerous to admit as a precedent the principle that any State entering the League should establish a maximum amount for its own contribution without regard to the inevitable variability of the unit from year to year. The question of whether, in spite of the reduction of units from ten to six, the allocation of Persia was still too high might be referred to the Allocation Committee for consideration, but the Sub-Committee did not feel able to recommend any reduction in the present assessment on the plea which had been advanced.

The other representations which the Sub-Committee had to consider were made by the Delegations of India, Greece, Hungary and Roumania, in some cases on account of assessments regarded as unduly high and in others because of exceptional circumstances justifying a plea for reduction. In certain instances the Sub-Committee was of opinion that a good case had been made out for some reduction in the number of units assigned. The members were, however, extremely reluctant to recommend any modifications in the provisional scale, which had been approved by the third Assembly. They had reason to believe that, if the principle of modification were admitted for 1924, other Delegations might also advance claims and that they had only refrained from doing so on the assumption that the existing scale would be maintained for another year. There were only two ways in which reductions could be contemplated:

(a) Reductions could be made in favour of certain countries by corresponding increases to the disadvantage of others;

(b) Reductions could be made with the units available consequently on the entry of new Members to the League, either in favour of specific countries or in an all-round diminution of the value of the unit.

The first method would encounter manifest difficulties and probably considerable opposition. It was, moreover, rather for the Allocation Committee in the first instance, after due study, to make proposals for any such readjustment. That body was not in session, and in any case it would hardly be possible to arrive at any satisfactory conclusion during the brief period for which the Assembly would still be sitting.

The Sub-Committee therefore unanimously decided to recommend that, with one exception in a case already decided by the Fourth Committee and referred to hereafter, no modification

should be adopted for 1924 in the provisional scale agreed to by the third Assembly. At the same time, the various pleas for reductions which have been advanced should be referred to the Allocation Committee for a report and for possible eventual readjustments in the provisional scale if it should prove to be impossible to prepare a definite scale for submission to the fifth Assembly.

While the Sub-Committee, after due consideration, had little doubt that this was the safest line to follow, it felt bound to submit to the Fourth Committee that an alternative course was possible and that the extra units now accruing to the League through the accession of new Members might be utilised to give some satisfaction to the most urgent claims for relief. Unfortunately, at the moment of preparing this report, the question of the admission of Abyssinia and the Hedjaz to the League has not been finally determined, and it is not certain whether more than three units (those resulting from the entrance of the Irish Free State) will be available for the purpose. The Sub-Committee considered that Roumania had made out the strongest case for reduction, and if the available units were to be so utilised, Roumania should therefore benefit to the extent of two. The third should, in the opinion of the Sub-Committee, be utilised provisionally to diminish the contribution of Greece in view of her having upwards of a million refugees to provide for. Should any further units become available, these the Sub-Committee considered might possibly be distributed in the same ratio.

The allocation of Japan forms an exception to the general recommendation of the Sub-Committee to maintain the provisional scale unaltered for the year 1924. It has already been unanimously decided by the Fourth Committee to submit to the Assembly a sensible reduction in the contribution of Japan to the expenses of the League as a mark of sympathy of all the States Members in the overwhelming catastrophe which has overtaken her. The Sub-Committee was directed to consider the best means of giving execution to that resolution.

The Sub-Committee accordingly recommended unanimously that the number of units assigned to Japan should temporarily be reduced by 12, from 73 to 61. This will place Japan in a position similar to that of Italy after the reduction accorded her on account of the devastations of war. It is proposed that these 12 units shall be deducted from the total number. This deduction will entail an increase of slightly over one per cent in the contribution of every Member of the League.

The Sub-Committee proposed that, in the case of the Argentine, the precedent adopted in 1923 should be followed and that 35 units should be maintained and entered as the proper allocation under the provisional scale for 1924, but that these units should not be counted in the total on which the contribution of the Member States is assessed.

After full consideration of the report of the Sub-Committee and after hearing representations made by certain delegates that the allocation of the countries which they represented was unduly high, the Fourth Committee decided to adopt the alternative proposal referred to above. It recommends, therefore, that the extra units accruing to the League from the adhesion of new Members should be utilised to give satisfaction to the most urgent claims for relief and that the distribution of these extra units should be left to the Allocation Committee.

The Fourth Committee has the honour, therefore, to propose the following resolution:

I. "The Assembly,

"Considering that it is not possible to draw up a definitive scale for the allocation of the expenses of the League of Nations for the year 1924;

"Considering that the scale adopted for the year 1923 has been recognised by general consent as establishing a more just and equitable system for the allocation of the said expenses than did that of the Universal Postal Union:

"Approves for the year 1924 the application of the scale annexed to the present resolution, which is based upon that of 1923, and resolves that the new units made available by the accession of the Members admitted to the League in 1923 shall be divided among those Members for whom the existing allocation is particularly heavy; this allocation shall be made by the Committee on the Allocation of Expenses;

"And requests the Council to ask the Committee on the Allocation of Expenses, presided over by M. Réveillaud, to continue its researches with a view to preparing a definitive scale which may be presented to a subsequent Assembly. The Assembly leaves it to the Council to modify the composition of the Committee as it may desire.

II. "The Assembly begs the Council to urge those Members which have not already ratified the first amendment to Article 6 of the Covenant voted by the Assembly of 1921 to do so as soon as possible.

III. "The Assembly, inspired by a lofty sentiment of the community of nations, desirous of manifesting its profound sympathy with Japan at a moment in which she has been overtaken by a catastrophe of unprecedented magnitude and anxious to lighten the contributory obligation of that country in such measure as the financial situation of the League allows:

"Resolves to reduce to 61 the number of units assigned to Japan in the provisional scale of allocation for 1924. The other Members of the League of Nations undertake to meet the additional charges resulting from this reduction in proportion to the number of units assigned to each."

Scale for the Allocation of the Expenses of the League for the Year 1924.

States	Units	States	Units
Abyssinia	2	Brought forward	543
Albania	1	Italy	73 — 12 = 61
Argentina	(35)	Japan	73 — 12 = 61
Australia	26	Latvia	5 — 2 = 3
Austria	1	Liberia	1
Belgium	20 — 5 = 15	Lithuania	5 — 1 = 4
Bolivia	5	Luxemburg	1
Brazil	35	Netherlands	20
Bulgaria	7	New Zealand	10
Canada	35	Nicaragua	1
Chile	15	Norway	11
China	65	Panama	1
Colombia	7	Paraguay	1
Costa Rica	1	Persia	10 — 4 = 6
Cuba	9	Peru	10
Czechoslovakia	35	Poland	25
Denmark	12	Portugal	10
Estonia	5 — 2 = 3	Roumania	40 — 9 = 31
Finland	10	Salvador	1
France	95 — 17 = 78	Kingdom of the Serbs, Croa and Slovenes	st 35 — 9 = 26
Great Britain	95 — 7 = 88	Siam	10
Greece	10	South Africa	15
Guatemala	1	Spain	40
Haiti	2	Sweden	18
Honduras	1	Switzerland	15
Hungary	4	Uruguay	7
India	65	Venezuela	5
Irish Free State	10		
	Carried forward 543	Total before reduction	937
		Reduction to be made *	5
		TOTAL VOTED	932

* These 5 units resulting from the accession of new Members, viz., the Irish Free State and Abyssinia, will be divided in accordance with the terms of the above resolution by the Allocation Committee¹.

¹ These 5 units were divided by the Allocation Committee at its meeting held on October 22nd, 1923. The following reductions were made: Roumania, 2 units; Greece, Hungary and Portugal, 1 unit each.

ANNEX 32

FINANCIAL QUESTIONS. .

REPORT SUBMITTED BY THE FOURTH COMMITTEE TO THE ASSEMBLY.

General Rapporteur : M. Cristobal BOTELLA, Assistant Delegate and Legal Adviser of the Spanish Delegation.

Notwithstanding the coming into force on January 1st last of the Financial Regulations of the League of Nations, and the great activity displayed by the Supervisory Commission since the third Assembly, the Fourth Committee has again this year had a very heavy agenda.

In order to complete its work as rapidly as possible, it therefore decided, at its second meeting, to form four sub-committees to report on the following questions:

- (a) Contributions in arrears;
- (b) Gift of the Armleder property adjoining the Hotel National and construction of a Conference Hall;
- (c) Allocation of the expenses for 1924;
- (d) Pensions and cost of living.

The Committee also decided to appoint a General Rapporteur to draw up a report on the Closed Accounts for the financial year 1922, on the Budget for 1924 and on the various questions raised in the different reports of the Supervisory Commission. Moreover, the chairmen of the first three Sub-Committees, M. Zahle, Jonkheer van Eysinga and Sir Rennell Rodd, were asked to submit to the Assembly, personally, the reports on the questions laid before their respective Sub-Committees, and M. Barboza-Carneiro was requested to take charge of the report on pensions and cost of living.

The Committee desires to thank the members of the four Sub-Committees, who have greatly facilitated its task by the zeal which they have displayed and by their determination to accomplish speedily the work with which they were entrusted.

I. REPORTS OF THE SUPERVISORY COMMISSION.

The Supervisory Commission has held four sessions since the third Assembly. In addition to examining the accounts and the Budget for 1924, it has dealt with all the varied questions which had been submitted to it by the Assembly, by the Council or by the competent officials of the autonomous organisations.

After a statement by M. Osusky, the distinguished Vice-Chairman of the Supervisory Commission, and at his suggestion, the Fourth Committee decided, in conformity with the procedure adopted last year, to proceed to the examination of the different questions on its agenda, utilising the reports of the Supervisory Commission as guide and commentary.

The Chairman of the Fourth Committee expressed to the Vice-Chairman of the Supervisory Commission (in the regretted absence of its distinguished and esteemed Chairman, M. Noblemaire) the warm thanks of the Fourth Committee for all the work which the Supervisory Commission had so efficiently accomplished since the last Assembly. It is largely owing to the accurate and complete documentation provided by the Supervisory Commission that the Fourth Committee has been able to accomplish its work within a relatively short time.

II. AUDITED ACCOUNTS FOR THE FINANCIAL YEAR 1922.

In consequence of the coming into force of the Financial Regulations of the League, the Fourth Committee has, for the first time since the creation of the League, had to deal with a finance system established on a solid basis and on definite texts, and working smoothly in all its details.

In conformity with the provisions of these Regulations, the Council of the League of Nations at its 23rd session held in January, appointed Commendatore Ceresa, Inspector-General of the Italian Ministry of Finance, to be Auditor of the League of Nations accounts. M. Ceresa, with the assistance of two colleagues, audited, between March 14th and April 12th, the accounts of all the organisations of the League of Nations, and his report, which is annexed to the accounts of the closed fiscal period, contains an admirable statement of the financial situation of the League, in addition to a certain number of suggestions of the greatest value. M. Ceresa was present at the meetings of the Committee and was able to reply in person to certain questions which were addressed to him.

Before entering upon the detailed examination of the audited accounts, the Financial Director of the League of Nations gave a general sketch of the financial organisation of the League. After recalling the decisions of the previous Assemblies in regard to the gold franc, the Working Capital Fund, etc., Sir Herbert Ames pointed out that, in conformity with the Financial Regulations, only two documents dealing with the accounts are now submitted to the examination of the Members of the League, namely, a budget account and a balance sheet.

In a general way, the members of the Committee expressed their satisfaction with the new form of the accounts and with the documents annexed thereto. One member pointed out, however, that, although the new document regarding recoverable advances, unforeseen expenditure and transfers was entirely in conformity with the wishes expressed by the Fourth Committee of the third Assembly, it would be advisable in future accounts to explain clearly by means of notes those cases in which there appeared to be some divergence between the accounts and the annexed documents; in other cases it would be an advantage if certain details were given in regard to the financial operations which might have been transacted during the course of the financial period concerned. The same speaker asked the Director of the International Labour Office to use the documentation supplied by the Secretariat as a guide in drawing up the Labour Office's reports in regard to accounts.

The Committee heard with interest the Secretary-General's explanatory statement regarding an observation made by the Auditor with respect to the fact that all the credits for unforeseen expenses should be included under one item. The Supervisory Commission had decided, at its May session not to modify the decisions of the previous Assemblies to the effect that the unforeseen expenses of each organisation should be met by a separate credit. The advantage of this system is that it is possible to ascertain the exact cost of each of the organisations of the League of Nations.

The Committee also took note of the explanation given by the Vice-Chairman of the Supervisory Commission in regard to the International Labour Office's continued use of the commercial system of accountancy as an auxiliary method. It would in fact be difficult to draw up the balance sheet laid down by the Financial Regulations if the governmental system of accountancy alone were employed.

III. BUDGET.

On several occasions the Committee emphasised that it would be an advantage if the budgets of the autonomous organisations of the League of Nations were made to conform as far as possible to the form adopted by the Secretariat for its budget.

The present report will only indicate the general observations which the Fourth Committee wished to formulate when it examined the budget of the principal organisations of the League. The discussions, in the course of which several useful and important suggestions were made, will be found in the minutes of the Committee and the details of the modifications made in the credits contained in the Budget figure in the table annexed to the present Report (Appendix).

The Budget, as submitted to the Assembly, amounted to 24,870,570 gold francs; the reductions effected by the Fourth Committee represent 1,771,804 gold francs (1,743,995 francs and 13,350— florins); on the other hand, the supplementary credits amount in all to 229,920 francs. A net reduction of 1,636,934 gold francs having been effected (including the deduction of the credit balance of the previous financial periods, amounting to 95,050 gold francs), the amount to be allocated now amounts to 23,233,636 gold francs, including a credit of 2,077,774 gold francs in respect of the Working Capital Fund. The budget of *expenditure*, amounting to 21,250,912 gold francs, is reduced by 3,922,596 gold francs, *i.e.*, 15 1/2 per cent, as compared with the budget of expenditure for the 1923 financial period.

While the Secretary-General and the Director of the International Labour Office have undertaken to continue to pursue a policy of economy and to endeavour to submit to the next Assembly

budgets showing, if possible, further reductions which it was not possible to effect this year in the short time available, certain speakers pointed out that they would oppose any reduction likely to hamper the satisfactory working and the essential activities of the League of Nations; they also stated that they reserved the right to propose at a later date an increase in certain credits, or at all events not to oppose such an increase.

Finally, the Fourth Committee is of opinion that the reductions made in the Budget will not adversely affect the essential work of the League of Nations. It is, however, of opinion that it would be difficult to effect further economies without endangering the very existence of the League.

A. *Budget of the Secretariat.*

Notwithstanding the considerable reductions already effected by the Supervisory Commission, which are shown in its second annual report, the Fourth Committee decided, at the suggestion of the French Delegate, M. Réveillaud, to ask the Supervisory Commission to consider and to submit, as soon as possible, a new programme of important reductions, drawn up in agreement with the Secretary-General.

After dissociating himself from the unjust and sometimes malicious attacks which had recently been made on the League of Nations, the French representative explained that the French Government considered that a serious reduction should be effected in the Budget of the Secretariat; his Government fully appreciated the work of the Supervisory Commission, but considered that last May the latter was not in a position to make sufficiently important reductions for the good reason that it had no authority to demand them.

The Vice-Chairman of the Supervisory Commission and the Secretary-General having agreed to the text of the proposal submitted by the French representative, the Committee, by a large majority adopted the following resolution :

"The Fourth Committee, considering that, in view of the exceptional financial difficulties with which most of the States are faced, a policy of strict economy and reduction is necessary in all departments of the Secretariat, and particularly in the special organisations of the League;

"Having full confidence that the Secretary-General will assist it in carrying out this policy :

"Entrusts to the Supervisory Commission, at present in session, the duty of considering the question and of submitting as soon as possible a programme of considerable reductions drawn up in agreement with the Secretary-General."

In presenting its report, proposing further economies amounting to more than one and a half million gold francs, the Supervisory Commission submitted the following considerations for the appreciation of the Fourth Committee :

"A. It is very difficult to draw up in the month of April a budget for the following year, especially in the case of a new organisation such as the League of Nations, which has to deal with questions subject often to very rapid modifications;

"B. The financial and executive administration of the League is continually being studied by the Supervisory Commission, but the time which has elapsed between the month of May and the month of September has not been sufficient to justify any modification in the items fixed in May after very careful consideration, except on the following grounds:

"1. In several cases it proved possible to make reductions owing to changes in circumstances since the Budget was prepared; in other cases, the experience gained during the last four months showed that reductions could be made without endangering the work, whilst in still other cases, it had been found possible to obtain more favourable conditions from contractors.

"2. In view of the necessity so clearly expressed in the Fourth Committee, the Supervisory Commission thought it advisable, in the case of technical organisations, to postpone certain work the execution of which, although approved either by the Assembly or the Council, did not appear to the Committee to be essential during 1924."

As soon as the report of the Supervisory Commission came before the Fourth Committee, the latter proceeded, in accordance with the method adopted by the first three Assemblies, to a detailed examination of the different articles of the Budget. (See Appendix for details of the reductions effected.)

In a general way, the Committee was satisfied with the general arrangement. However, one member pointed out that it would perhaps be well, in future Budgets, to arrange differently the chapter concerning special organisations. He pointed out, in particular, that the distinction between the headings A and B was hardly logical, and that certain organisations appearing under the heading "Temporary Organisations" were really more of a permanent character.

Several speakers pointed out the danger of a too rapid development of the technical organisations, whose activity, if extended too far, might exceed the limits fixed by the provisions of the Covenant.

At the request of a member of the Committee, the Vice-Chairman of the Supervisory Commission promised to follow closely, in all its aspects, the question of the expenditure of the Library. In the opinion of this member, it would appear desirable to substitute for the American methods a simpler organisation that would make it possible to effect further reductions in the staff.

The Secretary-General promised to consider with the Supervisory Commission the question of the status of the interpreters of the Secretariat. A certain number of members of the Fourth Committee thought that it should be possible for interpreters to be promoted to a higher category.

After a prolonged discussion, the Committee adopted the following resolution regarding the proposal for supplementary credits for the Commission on Intellectual Co-operation :

"In adopting the supplementary credits, amounting to 14,920 francs, asked to render possible the creation of an International University Information Bureau, the Fourth Committee does not intend to abandon the policy of budgetary reductions which it has been obliged to adopt this year.

"It is therefore understood that, if the Bureau should develop during the next three years (1924 to 1926), the necessary funds should be obtained from private or public contributions, in order that the Budget of the League of Nations should not be increased."

After discussing the estimates of the High Commissariat for Refugees (Russian Section), the Committee adopted the following recommendation :

"The Fourth Committee requests the Secretary-General to address an appeal to the Governments of the countries among which most of the Russian refugees are distributed and where the High Commissioner has appointed agents, with a view to the establishment of national committees similar to those which have been set up in the Kingdom of the Serbs, Croats and Slovenes for the purpose of facilitating the task of the High Commission and of enabling its organisation to be reduced."

B. *Budget of the International Labour Organisation.*

After the Director had explained the circumstances which had led the Governing Body to submit a greatly reduced Budget, the Committee, after a careful examination, but without making any changes, approved the estimates as submitted to it.

The Committee adopted M. Réveillaud's proposal to the effect that the number of chapters in the Budget of the International Labour Organisation should be reduced to four, namely:

- (1) Sessions of the Conference and of the Governing Body.
- (2) Services of the Secretariat.
- (3) Loss on exchange.
- (4) Capital expenditure.

By this decision, the Fourth Committee was able to settle the difference which had appeared between the point of view of the Governing Body of the International Labour Office and that of the Supervisory Commission as regards the application to the International Labour Organisation of Article 29 of the Financial Regulations. The members of the Fourth Committee unanimously recognised that the provisions of the Financial Regulations relative to transfers must necessarily be applied to the Labour Organisation, whose Budget could not be considered as a single chapter of the general Budget of the League of Nations. The adoption by the Committee of M. Réveillaud's proposal will, in fact, enable the Governing Body to meet all contingencies, since, in the future, the majority of the items, including the one concerning Unforeseen Expenditure, would be included in the second chapter of the Budget of the International Labour Organisation.

C. *Budget of the Permanent Court of International Justice.*

The Supervisory Commission noted a statement by the Registrar of the Permanent Court of International Justice (whose Budget also is reduced as compared with that for 1923) undertaking to consider whether reductions might not be made in the salaries paid to the temporary staff.

As regards the contribution to the Carnegie Foundation, the Committee noted that the Foundation accepted a reduction of 20 per cent. for 1924. At the end of this period, exact figures as to the expenditure actually incurred will be submitted, and the League of Nations will be asked to new pay the amount arrived at, even if it should exceed 40,000 florins, the new total inserted in the Budget for 1924.

IV. MISCELLANEOUS QUESTIONS.

(a) The Committee took note of a suggestion made by the eminent British Delegate to the effect that the Supervisory Commission might be authorised, if necessary, to avail itself of the services of specialists on financial or administrative questions.

(b) The Committee asked the competent officials of the autonomous organisations to prepare in future, as they had done this year, a statement of new work involving the League of Nations in new expenditure. One of its members, however, was of the opinion that it would be desirable in future, in order to give full effect to the resolution of the third Assembly, to inform the As-

sembly not only of new work which might involve expenditure, but also of new work not involving immediate expenditure, or work which might lead to expenditure in the future, even though for the present it was not of a nature to entail expenditure.

(c) The Committee took note of the statement prepared by the Secretary-General with regard to the financial situation of the League.

(d) The Committee decided to recommend that the Supervisory Commission should examine the question of the documents to be included in the *Official Journal*. It appeared, indeed, to one of its members that it was important that the *Official Journal* should contain all important documents.

(e) The Committee decided to refer to the Sub-Committee on Allocation of Expenses, for consideration and report, a proposal to grant partial and temporary relief to Japan in respect of her contribution to the League.

The Committee unanimously agreed that the frightful catastrophe so deeply regretted by the whole world, which had just befallen that great country, should necessarily be followed, in accordance with the principle laid down by the last Assembly, by a temporary reduction of its contributions to the Budget of the League of Nations. The proposal subsequently adopted by the Committee is given in the report on the Allocation of Expenses for 1924.

(f) After careful examination, the Committee adopted, upon the report of the Supervisory Commission, a certain number of amendments to the Financial Regulations (see Appendix 2).

(g) The Committee adopted the recommendations of the Supervisory Commission regarding the institution of a Salaries Adjustment Committee to determine the variations to be made in the salaries of the Registry of the Court, as well as the creation in the Secretariat of an intermediary class, the salaries of which would be smaller than those paid to Members of Section, Class B.

(h) On the proposal of M. Barboza-Carneiro, the Committee adopted the following recommendation:

"The Fourth Committee, considering that every effort should be made with a view to keeping down expenses, invites the Secretary-General and the Director of the International Labour Office to examine the possibility of obtaining from the competent authorities a reduction in postal and telegraph rates for official letters and parcels of the Secretariat and the International Labour Office.

"They are also requested by the Committee to open negotiations with transport companies, both by land and by sea, in order to obtain reduced rates for the officials of the League as well as for the persons travelling on official business in connection with the League. The Committee expresses the desire that a report should be made to the fifth Assembly on the action taken as a result of this proposal."

(i) The financial position of the League of Nations was considered in a number of useful and instructive debates. The Fourth Committee was glad to note that the cash in hand was greater this year than at the same time last year, and that, in general, the contributions of the Members of the League had been paid more promptly and more regularly than in 1922. This improvement may be largely attributed to the new scale adopted by the third Assembly.

Although progress has been made, the situation is far from being entirely satisfactory; as long as the scale of allocation is not definitive, the financial position of the League of Nations may present difficulties. Again, since the Budget has been considerably reduced, it will not be easy to effect economies during the course of 1924 in order to cover the deficits due to delays in the payment of the contributions by the Members of the League. While it may be anticipated that the League will have a considerable cash surplus at the beginning of 1924, it is probable that the situation will again be less favourable at the end of the year and especially at the beginning of 1925.

It is for this reason that, at the unanimous request of the Supervisory Commission, and in spite of the desire expressed by several members of the Fourth Committee to strike out altogether the credit for a new contribution to the Working Capital Fund in the 1924 Budget, the Fourth Committee has decided to insert in the 1924 Budget a considerable sum as a definitive contribution to the Working Capital Fund.

(k) This Report of the Fourth Committee would not be complete if it did not express the unanimous thanks of the Committee to its distinguished Chairman, M. Nintchitch, as well as to its Vice-Chairman, M. Adatci.

If the Committee has been able to complete its work in a relatively small number of meetings, this success is largely due to the persuasive firmness, ability and zeal of M. Nintchitch.

In conclusion, the Fourth Committee wishes to express its appreciation of the admirable manner in which the high officials of the Secretariat, and especially the Secretary-General, have aided it in its work.

Since the first Assembly, the Members of the Fourth Committee have learned to know the engaging personality of Sir Eric Drummond, and all the delegates who are constantly in close relations with him are aware of the zeal, intelligence and ability with which he discharges the difficult duties entrusted to him. By co-operating loyally with the Supervisory Commission and with the Fourth Committee in effecting economies, he has greatly facilitated our task, and the Committee is profoundly grateful to him.

The Committee also wishes to express its gratitude to M. Albert Thomas and to his devoted colleagues. In adopting the Budget of the International Labour Organisation in the form in

which it was presented by the Governing Body and the Supervisory Commission, the Fourth Committee desires to express the hope that the large reductions which have already been made in it will not be such as to affect adversely the valuable work which was assigned to the Office under the Treaties, and the great importance of which the Fourth Committee would be the first to recognise.

The estimates of the Permanent Court of International Justice were presented to the Committee by the Registrar of the Court, M. Hammarskjöld; the Committee could hardly avoid referring to the zeal and the ability of this high official of the League.

The Fourth Committee further wishes to express its thanks to the very able Financial Director of the League of Nations, and his assistants, and also to the various officials, secretaries, interpreters, translators and stenographers who, by their zeal and readiness, have enabled it to complete its work so rapidly.

In conclusion, the Fourth Committee has the honour to propose to the Assembly the adoption of the following resolutions:

Resolutions.

"1. The Assembly of the League of Nations, in accordance with Article 38 of the Regulations for the Financial Administration of the League of Nations, passes the audited accounts of the League for the fourth financial period ending December 31st, 1922.

"2. The Assembly, in accordance with Article 17 of the Regulations for the Financial Administration of the League of Nations:

"Approves, for the financial period 1924, the general Budget of the League, of the Secretariat and the special Organisations of the League, of the International Labour Organisation and of the Permanent Court of International Justice, amounting in all, including the supplementary credits, to 23,328,686.41 gold francs.

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

"3. The Assembly adopts, in so far as they have been approved by the Fourth Committee, the findings of the various Reports of the Supervisory Commission which have been submitted for its consideration.

"4. The Assembly adopts the amendments to the Regulations for the Financial Administration of the League of Nations which are given as an Annex to the Fourth Committee's Report.

"5. The Assembly adopts the findings of the Fourth Committee's Report."

APPENDIX

AMENDMENTS TO THE ORIGINAL BUDGET ESTIMATES INTRODUCED OR APPROVED BY THE FOURTH COMMITTEE.

I — SECRETARIAT AND SPECIAL ORGANISATIONS OF THE LEAGUE
(including supplementary estimates).

	<i>Reductions.</i>	<i>Increases.</i>
	<i>Francs.</i>	
I. Sessions of the Assembly	109,500	
3a. Salaries of Secretariat at Geneva	97,568	
3b. House Staff at Geneva	3,215	
4. Latin-American Liaison Office	1,924	
6. Frais de Representation.	26,540	
8. Publications Department	78,750	
IIA. Interest Charges:		
Bank Account (net)	30,000	
13. Unpaid Liabilities Fund	35,000	
15. Administrative Commissions and Minorities Questions.	35,786	
16. Economic and Financial Organisation.	314,924	
17. Mandates	2,607	
18. Transit Organisation	89,995	
19. International Health Organisation	59,026	
20. Social Questions Traffic in Women and Children, Supervision of Opium Traffic, etc.	3,954	90,000
21. Reduction of Armaments:		
(a) Permanent Organisation	44,506	
(b) Temporary Organisation	51,200	
22. International Blockade Committee	50,000	
23. Commission for the Protection of Women and Children in certain territories in the Near East		75,000
24. International Bureaux and Committee on Intellectual Co-operation.	12,000	14,920
25. High Commissariat for Refugees (Greek Section)		50,000
27. Loss on Exchange	100,000	
	<hr/>	<hr/>
Total Increase		229,920
Total Reduction	1,146,495	
Net Reduction	<hr/> 916,575	

II. — INTERNATIONAL LABOUR ORGANISATION.

	<i>Reductions.</i>	<i>Increases.</i>
	<i>Francs.</i>	
Chapter:		
II 3a. Salaries: Reduction due to fall in cost of living.	110,000	
Appropriation in aid: Receipts from sale of publications	45,000	
	<hr/>	
Net Reduction	155,000	

III. — PERMANENT COURT OF INTERNATIONAL JUSTICE.

	Florins.
Chapter:	
• III 16c. Overtime pay	1,850
18b. Overtime pay	1,000
IV 25b. Journey to native country	500
V 27. Contribution to the Carnegie Foundation.	10,000
	<hr/>
Net Reduction	13,350
In francs	27,809

IV. — WORKING CAPITAL FUND.

Chapter:	<i>Reductions.</i>	<i>Increases.</i>
	<i>Francs.</i>	
I. Definitive contribution to the Working Capital Fund	442,500	
Net Reduction	442,500	

Summary.

	<i>Reductions.</i>	<i>Increases.</i>
	<i>Francs.</i>	
I. Secretariat and Special Organisations of the League	1,146,495	229,920
II. International Labour Organisation	155,000	
III. Permanent Court of International Justice	27,809	
IV. Working Capital Fund	442,500	
Total Reduction	1,771,804	
Total Increase		229,920
Net Reduction	1,541,884	
Original Budget	24,870,576.41	
Budget adopted by the Fourth Committee	23,328,686.41	
<i>Deduct :</i>		
Surplus from previous financial periods		95,050.71
Amount to be allocated between the Members of the League		23,233,635.70

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ANNEX 33.

EPIDEMIC COMMISSION

REPORT OF THE SECOND COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. ADATCI, Delegate of Japan.

On September 15th, I had the honour to present to the Assembly a report on the Health Organisation of the League of Nations, including the work of the Epidemic Commission.

The Assembly was good enough to adopt the resolution which your Second Committee presented to you. However, the Second Committee had also unanimously adopted an additional resolution indicating the means which might be placed at the disposal of the Health Organisation of the League of Nations to enable it, by the intermediary of its Epidemic Commissioners, to intervene immediately on the outbreak of epidemics of exceptional importance.

The Second Committee was unanimous in paying tribute to the work which has been accomplished by the Epidemic Commission. It noted that this work, hitherto supported by voluntary contributions, may have to be stopped altogether for want of financial support and considered that the Council should be authorised to furnish the Commission with funds in the event of an exceptionally important emergency.

The Committee considered that the Council might have been able to obtain the necessary sums under Article 26 (a) (Unforeseen Expenditure), which is at the disposal of the Council.

I would remark that the resolution adopted by the Second Committee did not entail a new charge on the Budget. However, as the resolution foreshadowed an eventual contribution to the Epidemic Commission from funds left at the disposal of the Council, it appeared to it that the resolution, before being submitted to the Assembly, should be submitted for examination to the Fourth Committee.

The Fourth Committee invited the opinion of the Committee of Control, which declared itself to be opposed in principle to the proposition, in view of the fact that Article 26 (a) is specifically reserved for questions of a purely political nature.

The Fourth Committee has adopted the opinion of the Committee of Control. Owing to the late hour at which this decision of the Fourth Committee has been taken, it has not been possible to call together again the Second Committee.

I have, however, had conversations with the Chairman of the Second Committee regarding this matter, as well as with certain of my colleagues, and, as a result of these discussions, I believe I am in a position to submit to the Assembly the following observations:

The decision of the Fourth Committee should not hinder the Assembly from voting on that part of the draft resolution presented to the Second Committee which expresses the approval of the work of the Epidemic Commission and which develops the principle that it should be in a position to intervene immediately in case of danger.

On the other hand, the desire of the Fourth Committee not to tie the hands of the Council but to leave at its disposal, unencumbered by contingent expenditure, the sum provided for under Article 26 (a) of the Budget is perfectly legitimate.

In these circumstances, I have the honour to propose to the Assembly that it accept the following resolution:

"The Assembly,

"Having considered Dr. Norman White's Report and the Report of the Secretary-General forwarding to the Council the recommendations of the Health Committee submitted in accordance with the request of the Council formulated on August 31st, 1923:

"Pays tribute to the work of the Epidemic Commission and associates itself with the people whom the Commission has helped and protected in expressing gratitude for the assistance rendered;

"Takes note that the work hitherto dependent upon voluntary contributions during a time of acute distress is likely to be arrested for lack of funds if the present decrease in the danger from epidemics should result in a diminution of contributions to an extent that made it impossible to provide urgent relief on the appearance of fresh epidemics;

"And recommends that the Council should, in case of need, study what resources could be placed at the disposal of the Health Organisation of the League of Nations to enable it to intervene immediately through the intermediary of its Epidemic Commissioners in the event of sudden epidemic outbreaks of exceptional importance which might involve political consequences."

ANNEX 34 (Part I).

•REDUCTION OF ARMAMENTS.

REPORT SUBMITTED BY THE THIRD COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. BENES, Delegate of Czechoslovakia.

CONTENTS :

Preliminary Note.

First Part. — DRAFT TREATY OF MUTUAL ASSISTANCE.

- I. Origin of the Draft Treaty.
- II. Analysis of the Draft Treaty.
 1. The Draft Treaty and the Covenant.
 2. War of Aggression.
 3. Guarantee — Disarmament.
 4. Case of Aggression.
 5. Special Treaties.
 6. Special Situations.
 - (a) States bound by the Treaties of Peace.
 - (b) Reductions without Guarantees.
 - (c) South-American States.
 - (d) Ratifications and Denunciations.
 7. Conclusions.
- III. Text of the Treaty.
- IV. Commentary on a "Case of Aggression".
- V. Notes by the Committee of Jurists.

The Third Committee of the Assembly has devoted its sittings to the examination of the work accomplished during the year by the League of Nations in the matter of disarmament.

It took as the basis for its work the report of the Temporary Mixed Commission for the reduction of armaments, which was forwarded to it for that purpose by the Council.

This Report is divided into two parts, the first of which deals with the Draft Treaty of Mutual Assistance, while the second discusses other matters relating to the question of disarmament, which also came within the purview of the work of the Temporary Mixed Commission.

For the sake of clearness, the present Report will likewise be divided into two parts, corresponding to the two parts of the Temporary Mixed Commission's Report.

• FIRST PART.

• *Draft Treaty of Mutual Assistance.*

• I. ORIGIN OF THE DRAFT TREATY.

The Draft Treaty of Mutual Assistance, which the Temporary Mixed Commission has submitted to the Third Committee and which is now submitted by the latter in a somewhat amended form to the Assembly, is the fruit of long labour undertaken by the Temporary Mixed Commission since its establishment; the work was entrusted to that body in pursuance of Paragraph (b) of Resolution 3 of the First Assembly, which is worded as follows:—

"The Assembly invites the Council:

"(b) To instruct a Temporary Commission, composed of persons possessing the requisite competence in matters of a political, social and economic nature, to prepare, for submission to the Council in the near future, reports and proposals for the reduction of armaments as provided for by Article 8 of the Covenant."

This task was defined more clearly by the second Assembly in Resolution 2, which provides:

"That the Temporary Mixed Commission be asked to make proposals on general lines for the reduction of national armaments which, in order to secure precision, should be in the form of a Draft Treaty or other equally defined plan, to be presented to the Council, if possible, before the Assembly next year."

The investigations undertaken by the Temporary Mixed Commission, in pursuance of these resolutions, enabled it to lay before the third Assembly the general principles which, in its opinion, might serve as a basis for the Draft Treaty which it had been asked to draw up.

These general principles, after discussion by the third Assembly, were defined in a Resolution known as Resolution XIV, the text of which is as follows: —

"XIV. (a) The Assembly, having considered the report of the Temporary Mixed Commission on the question of a General Treaty of Mutual Guarantee, being of opinion that this report can in no way affect the complete validity of all the Treaties of Peace or other agreements which are known to exist between States; and considering that this report contains valuable suggestions as to the methods by which a Treaty of Mutual Guarantee could be made effective, is of the opinion that:

"1. No scheme for the reduction of armaments, within the meaning of Article 8 of the Covenant, can be fully successful unless it is general.

"2. In the present state of the world many Governments would be unable to accept the responsibility for a serious reduction of armaments unless they received in exchange a satisfactory guarantee of the safety of their country.

"3. Such a guarantee can be found in a defensive agreement which should be open to all countries, binding them to provide immediate and effective assistance in accordance with a pre-arranged plan in the event of one of them being attacked, provided that the obligation to render assistance to a country attacked shall be limited in principle to those countries situated in the same part of the globe. In cases, however, where, for historical, geographical, or other reasons, a country is in special danger of attack, detailed arrangements should be made for its defence in accordance with the above-mentioned plan.

"4. As a general reduction of armaments is the object of the three preceding statements, and the Treaty of Mutual Guarantee the means of achieving that object, previous consent to this reduction is therefore the first condition for the Treaty.
"This reduction could be carried out either by means of a general treaty, which is the most desirable plan, or by means of partial treaties designed to be extended and open to all countries.

"In the former case, the Treaty will carry with it a general reduction of armaments. In the latter case, the reduction should be proportionate to the guarantees afforded by the Treaty.

"The Council of the League, after having taken the advice of the Temporary Mixed Commission, which will examine how each of these two systems could be carried out, should further formulate and submit to the Governments for their consideration and sovereign decision the plan of the machinery, both political and military, necessary to bring them clearly into effect.

"(b) The Assembly requests the Council to submit to the various Governments the above proposals for their observations, and requests the Temporary Mixed Commission to continue its investigations, and, in order to give precision to the above statements, to prepare a Draft Treaty embodying the principles contained therein."

The work of the Temporary Mixed Commission during the past year has consisted in establishing on this foundation the Draft Treaty, taking into account the proposals made to it in this connection by two of its members (Lord Robert Cecil and Colonel Réquin), the opinions of a certain number of Governments on Resolution XIV which had been submitted to them, and the technical and political reports prepared respectively by the Permanent Advisory Commission for Military, Naval and Air Questions, and by the Sub-Committee formed from among the members of the Temporary Mixed Commission in order to follow closely the progress of this work. All these texts have been brought to the notice of the various Governments and of the Assembly, as Annexes to the Report of the Temporary Mixed Commission.

The Third Committee has continued to work on the basis of these very exhaustive reports. It has also had the advantage of being able to obtain the valuable co-operation of a Committee of Jurists, whose services were placed at its disposal by the Council and whose advice has been of the greatest help to it in the course of its deliberations.

II. ANALYSIS OF THE DRAFT TREATY.

I. *The Draft Treaty and the Covenant.*

Attention should be drawn at the outset to the close connection between the Draft Treaty and the Covenant.

In a certain sense it may be said that the whole of the proposed treaty is implicitly contained in Paragraphs 2 to 4 of Article 8 of the Covenant, which provide that:

"The Council, taking account of the geographical situation and circumstances of each State, shall formulate a plan for such reduction [of armaments] for the consideration and action of the several Governments.

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

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

From this point of view the Draft Treaty might be regarded as the procedure which the Temporary Mixed Commission recommends to the Council for the purpose of carrying out the task incumbent upon the Council under the terms of the paragraphs of Article 8 of the Covenant set out above.

The logical relationship between this article of the Covenant and the Treaty appears clearly in Resolution XIV.

Faced by the necessity for preparing the way for the reduction of armaments, the Commission began by realising that a certain number of States are not in a position to contemplate a reduction of their armaments without receiving in exchange a guarantee of their security.

The necessity, therefore, arises of strengthening the sentiment of international confidence by defining more clearly everything in the Covenant which may be regarded as an endeavour to obtain a mutual guarantee of security.

A certain connection thus becomes apparent between the work of disarmament and certain Articles of the Covenant, such as Articles 10 and 16.¹

But as soon as an appeal is made to States whose safety is not threatened, there arises, in addition to the admitted dependence of disarmament upon the guarantee, a further dependence of the guarantee on the disarmament necessary to satisfy public opinion in such countries.

This is the foundation of the rule upon which the Draft Treaty is based. *The guarantee and disarmament are interdependent.*

It should, however, be emphasised that this rule is merely the result of practical experience, and is in no way the expression of a legal principle.

Certain members of the Third Committee have indeed raised against this rule an objection founded upon the Covenant, and supported by the undeniable fact that the States signatories of the Covenant undertook to effect reductions in armaments without any question of guarantees other than those of the Covenant. This idea is reflected in the replies to Resolution XIV — particularly those given by certain Northern European States. It would seem, however, that the apparent contradiction between the Covenant and the rule laid down in Resolution XIV can be readily removed by pointing out that, as has already been observed, this rule is merely the result of experience, and is the real governing factor in the disarmament problem, at all events for a certain number of countries.

Therefore the Treaty of Guarantee would be regarded as the means recommended by the Committee for adapting the obligations contained in Article 8 of the Covenant to the realities of the present situation.

Furthermore, the draft differs from the Covenant in regard to its purpose, the nature and definite character of the obligations it contains, and the countries which may adhere to it.

The purpose of the draft is obviously narrower than that of the Covenant. The Covenant is directed towards the pure ideal of world peace and justice; the draft merely aims at the reduction of armaments. The mutual guarantee and the confidence to which it should give birth are the means which have been thought necessary to attain this object.

The obligations and the corresponding rights embodied in the draft are narrower, and at the same time more definite, than those contained in the Covenant. In the draft, the right to the guarantee in case of aggression is absolute, subject to reciprocity (Article 17). The obligations are of two kinds: those which are entailed by the guarantee offered to countries attacked and which are of a more definite nature than the analogous obligations in the Covenant, since they are derived from and correspond strictly with the undertaking to disarm, and those which are directed towards the actual object of the Treaty — a reduction of armaments.

In this aspect, the draft, though narrower and more definite, may be regarded — as one of the most diligent of its authors, Senator Lebrun, has so happily phrased it — as a prolongation of the Covenant.

As regards the countries which would adhere to it, the draft might not apply to certain States signatories to the Covenant, while at the same time it is open to the adhesion, under certain conditions, of States which are not at present Members of the League. Moreover, the draft contains an article providing for partial or conditional adhesion subject to reciprocity.

¹ In regard to this liaison, the Lithuanian Delegation wishes to emphasise the fact that it understands Article 10 of the Covenant of the League as in no wise prejudging territorial disputes between States adhering to this Treaty.

Lastly, mention should here be made of the attitude adopted by certain members of the Committee who consider that the draft, which was solely directed towards the extension of the Covenant by material guarantees, would represent one-sided development of the League. In the view of these Delegations, the legal and moral aspects of the Covenant should be developed side by side with this development of material guarantees. They particularly emphasise the importance of asking those countries which would, under the present scheme, have the advantage of the guarantee offered by the Draft Treaty for guarantees of a "reasonable" policy (that is to say, they should observe the obligations contained in the Covenant regarding the registration and publication of international treaties and regarding adhesion to the optional clause of the Statute of the Court of International Justice).

While it fully appreciates these views, the Committee considers that some of the conditions proposed were out of proportion to the object in view, while others might raise difficulties in the way of the adhesion of certain countries, and might thus work against the universality of the proposed Treaty, which is a condition of its efficacy.

2. *War of Aggression.*

The Committee has adopted the opinion of the Temporary Mixed Commission as to the desirability of beginning the Draft Treaty of Mutual Assistance, which is aimed at the reduction of armaments, with a solemn declaration condemning all wars of aggression. This is the fundamental idea of Article 1 of the Draft Treaty.

It would undoubtedly have been better if this article could have been retained in the brief and clear form in which it was drawn up by the Temporary Mixed Commission.

The Committee has, however, been obliged to add to this text provisions defining a case of legitimate warfare which is that of a State party to a dispute which has accepted the unanimous recommendation of the Council, the finding of the Permanent Court of International Justice, or an arbitral award, and which declares war against another Contracting Party which has not accepted the verdict of one of the international institutions. When, therefore, this exceptional case has been clearly and loyally admitted, Article 1 none the less remains a solemn pact of non-aggression, the spirit of which must govern the application of the Draft Treaty of Mutual Assistance.

3. *Guarantee. — Disarmament.*

The close connection in practice, as far as States adhering to the Treaty are concerned, between the guarantee and disarmament is dealt with in Articles 2, 3, 4 and 5 of the Draft Treaty. This question has already been adequately investigated in connection with the relations between the Draft Treaty and the Covenant. It need only be stated here that the offer of a guarantee in exchange for the reduction of armaments is clearly set forth in Article 2, and Articles 3, 4 and 5 merely provide for its application.

These articles of the draft show that the guarantee and the reduction of armaments operate in the following manner:

1. The general guarantee is established in principle and defined by the Treaty — first stage;
2. In the case of certain States the guarantee is supplemented by special Treaties;
3. Each State establishes an estimate of the reduction which it can effect in armaments in virtue of the operation of this single or double guarantee — second stage;
4. On the basis of these estimates, the Council draws up the plan of reduction as provided in Article 8 of the Covenant — third stage;
5. After having adhered to the plan, the several States undertake to put this plan of reduction, in so far as it affects them, into operation within a period laid down in the Treaty — fourth stage;
6. When this undertaking has been given, the guarantee comes into force, and the provisions of Article 8 of the Covenant regarding disarmament are in a fair way to fulfilment.

4. *Case of Aggression.*

Article 4 determines the intervention of the Council of the League of Nations and the possible intervention of all the signatory States in case of aggression.

All the Committees which have been concerned directly or indirectly with the draft have found great difficulty in defining what constitutes an act of aggression.

The draft submitted to the Assembly is accompanied by a "*Commentary on the definition of a case of aggression*" drawn up by a special Committee of the Temporary Mixed Commission in collaboration with certain technical members of the Permanent Advisory Commission after the latter Commission had studied the question. The Third Committee recommends that this commentary be communicated to the several Governments for their information.

5. *Special Treaties.*

The discussions in the Third Committee of the last Assembly, which culminated in the adoption of Resolution XIV, brought into prominence the technical difficulties which stood in the way of the establishment of the guarantee.

Certain States, which, for various reasons, regarded themselves as being specially threatened, whilst not denying the great moral and political value of the general guarantee, insisted on the impossibility of risking a reduction of their armaments in exchange for a general guarantee of assistance, the technical preparation, speed and effectiveness of which would be problematical.

It will be seen from the reports of the Permanent Advisory Commission that the technical experts, not merely of these countries but of all those countries represented on the Commission, were unanimously agreed that no assistance could be considered immediate and effective unless it were given in accordance with a pre-arranged plan.

This condition, which had to be accepted in view of the actual facts, at least as regards certain concrete cases, made it necessary, in the opinion of certain experts, to add to the General Treaty of Guarantee defensive agreements of a more limited nature, which would render possible the conclusion of military conventions to guard against possible threats of aggression.

This idea was not brought into the general system of the Treaty of Guarantee without meeting with very serious objections. The Temporary Mixed Commission and the Third Committee were obliged to reconcile the two attitudes — the attitude which favoured the General Treaty alone and that which favoured the General Treaty supplemented by partial treaties.

The objections which have been brought forward against partial treaties can all be traced to the fear of a reappearance under that name of the former system of alliances, which, in the past, has proved such a serious menace to the peace of Europe.

Those who were opposed to partial treaties emphasised the fact that the actual existence of such treaties was evidence of suspicion and mistrust of some State, or group of States. The body of States signatories to the general treaty were therefore divided in this way, and the division would only be aggravated by the creation of a defensive treaty giving increased power to the signatory countries as a group, even in the unlikely event of a reduction in their individual armaments. In view of this increase of collective power, and of the fact that the group would assume an "orientation" against one or several States, they considered it reasonable to presume that the creation of a rival defensive treaty and the existence of two rival groups would lead to competitive armament, or at least to a strained political situation fraught with serious dangers.

In spite of this serious objection, the Committee stated by a majority vote that it felt bound — for the practical reasons explained above, and for many other reasons based on the requirements of the practical policy of every day — to retain the system of complementary defensive treaties in its draft. The Committee considered that these agreements should be submitted to the Council for examination. It was only on this condition that certain Delegations expressed their willingness to withdraw their opposition to the principle of partial treaties.

Thus partial treaties cannot benefit by the general guarantee, until the Council has recognised that they are not contrary to the spirit of the Covenant and that they are in harmony with the General Treaty of Mutual Assistance.

To satisfy this condition, they must be registered at the League of Nations and published by the League (Article 7). In admitting these defensive treaties into the general scheme of the Treaty, the Committee was strongly influenced by the following considerations: — that some partial treaties already existed; that the right of all States to make such treaties was, under certain conditions, recognised in the Covenant: that the incorporation of such agreements, after approval by the Council, into the General Treaty, was a guarantee of their defensive character; and finally, by the fact that it was preferable to have them published and submitted to control, rather than to expose them to the danger of being concluded as secret treaties, which would constitute a possible menace to world peace.

6. *Special Situations.*

(a) *States bound by Treaties of Peace.*

The Committee felt bound to examine the conditions under which States that had reduced their armaments in consequence of the Peace Treaties of 1919 and 1920 would be allowed to adhere to the Treaty of Mutual Assistance. There were two aspects to the question. In the first place, it was necessary to define whether the reduction of armaments thus effected could be considered as of the same nature as the reduction which the States parties to the General Treaty undertook to carry out in exchange for the guarantee. An affirmative answer was given to this question and provision was accordingly made by the insertion of a phrase in Article 9 of the Treaty. It was further necessary, in view of the restricted use of their military forces imposed by the Peace Treaties, to define to what extent States disarmed by a Peace Treaty could co-operate in defending States that were attacked. In this matter the Committee adopted an elastic solution, by which these particular cases were to be covered by the principles of Article 17 of the Treaty permitting partial adhesion. This article would allow States disarmed by the Peace Treaties to enjoy some of the advantages of the Treaty without being compelled to assume obligations which the Peace Treaties would prevent them from meeting.

(b) *Reduction without Guarantees.*

Article 17 introducing the principle of partial adhesion into the draft of the General Treaty, is intended in particular to meet the case of certain States which might consider themselves in a position to carry out the reduction without being obliged to have recourse to the military guarantee. It was natural that a more flexible system of adhesion should be provided for such

States, allowing them to adhere to the whole and to add to it the weight of their moral authority and the advantages of their co-operation in all civil spheres of action (economic, financial, etc.) and at the same time exempting them from assuming the military obligations which, as a general rule, are imposed upon the other parties.

Certain delegations, however, interpreted this article as allowing adhesion to the Treaty of General Assistance of countries who incurred thereby neither military nor civil obligations (economic, financial, etc.) but whose adhesion was limited to a sort of moral co-operation accompanied, in any case, by an effective reduction of their armaments.

(c) Position of the South American States.

The Committee was deeply interested in the statement of the Chilean representative concerning the special situation of the South American States. In these countries, the question which in Europe concerns the reduction of armaments assumes a different aspect as, according to the information furnished by certain South American representatives, those countries have, to all intents and purposes, disarmed. As the Brazilian representative pointed out, the question for those countries is rather one of limitation.

The Committee has found it necessary to adapt the draft to this particular aspect of the disarmament problem found in South America, which may also occur elsewhere, by adding the word "limitation" to the word "reduction" in all sentences of the text in which the reduction of armaments was mentioned. The Committee considers that allowance will have to be made for the situation of the South American States and other similar situations in drawing up the plan for the reduction of armaments.

(d) Ratifications and Denunciations.

The Committee has been confronted with the legal and political difficulties raised by the questions of the ratification and denunciation of the Treaty. After studying suggestions put forward by the Committee of Jurists, the Committee, rather than propose a definite text, has decided to add to its draft two Articles (18 and 19) which respectively deal with these two questions, but merely as an indication of subject matter requiring further study by those Governments to which the Draft is submitted with a view to arriving at a satisfactory and definite text.

7. Conclusions.

The Draft Treaty examined by the Committee and communicated by it to the Assembly is a result of the foregoing considerations. The Rapporteur and his colleagues in the Committee will readily appreciate the imperfections that it contains. Both the difficulties inherent in such a complicated undertaking and the pre-occupations of the moment are reflected in the text that has been drawn up. The discussions of the Committee have revealed inevitable differences of opinion. In addition to these differences, which are largely due not only to the different political and geographical positions of the several countries, but also, perhaps, to that variety of intellectual tendencies which is one of the advantages and also one of the difficulties of any international work, certain problems of a legal nature have arisen. The attention of the Third Committee was drawn to the importance of these questions by the Committee of Jurists, to whom the Council had entrusted the re-drafting of the text itself.

The Committee did not feel able to enter forthwith upon the discussion of these questions of subject matter, however interesting they might be, and however deeply it might feel indebted to the jurists who had indicated them. It merely adopted the purely formal alterations recommended by the Committee of Jurists. The improved text is communicated to the Assembly, with the remarks of the Committee of Jurists on matters of substance.

The Committee is of the opinion that, although it is at present impossible to recommend to the Governments the immediate adoption of this text, it represents none the less, in view of present circumstances, a step forward on the difficult path of armament reduction.

The Committee therefore considers that the draft should be sent in its present form to the Governments, which should be requested to express their views as soon as possible. These opinions would then provide material for the work of the Temporary Mixed Commission and of the Council, pending the next Assembly.

It is impossible to attain the object set before the States Members of the League of Nations in Article 8 of the Covenant unless continual efforts are made to solve the problems that arise in the course of discussion. It is even reasonable to suppose that the perseverance and willingness displayed in this methodical work constitute one of the moral forces that will certainly contribute to the good understanding essential to any work of disarmament.

In view of these considerations, the Third Committee proposes to the Assembly the adoption of the following resolution:

"The Assembly,

"Having taken cognisance of the Draft Treaty of Mutual Assistance drawn up by the Temporary Mixed Commission and amended by the Third Committee as a result of an exchange of views between its members, some of whom spoke in their personal capacity;

"Considering that this discussion has revealed some divergences of view and, further, that a large number of Governments have not yet expressed their opinions on Resolution XIV of the Third Assembly:

Decides to request the Council to submit the Draft Treaty of Mutual Assistance to the Governments for their consideration, asking them to communicate their views in regard to the aforesaid Draft Treaty."

III. TEXT OF THE TREATY OF MUTUAL ASSISTANCE.

PREAMBLE.

The High Contracting Parties, being desirous of establishing the general lines of a scheme of mutual assistance with a view to facilitate the application of Articles 10 and 16 of the Covenant of the League of Nations, and of a reduction or limitation of national armaments in accordance with Article 8 of the Covenant "to the lowest point consistent with national safety and the enforcement by common action of international obligations", agree to the following provisions:

ARTICLE 1.

The High Contracting Parties solemnly declare that aggressive war is an international crime and severally undertake that no one of them will be guilty of its commission.

I. Pact of non-aggression.

A war shall not be considered as a war of aggression if waged by a State which is party to a dispute and has accepted the unanimous recommendation of the Council, the verdict of the Permanent Court of International Justice, or an arbitral award against a High Contracting Party which has not accepted it, provided, however, that the first State does not intend to violate the political independence or the territorial integrity of the High Contracting Party.

ARTICLE 2:

The High Contracting Parties, jointly and severally, undertake to furnish assistance, in accordance with the provisions of the Present Treaty, to any one of their number should the latter be the object of a war of aggression, provided that it has conformed to the provisions of the present Treaty regarding the reduction or limitation of armaments.

II. General assistance.

ARTICLE 3.

In the event of one of the High Contracting Parties being of opinion that the armaments of any other High Contracting Party are in excess of the limits fixed for the latter High Contracting Party under the provisions of the present Treaty, or in the event of it having cause to apprehend an outbreak of hostilities, either on account of the aggressive policy or preparations of any State party or not to the present Treaty, it may inform the Secretary-General of the League of Nations that it is threatened with aggression, and the Secretary-General shall forthwith summon the Council.

Menace of aggression

The Council, if it is of opinion that there is reasonable ground for thinking that a menace of aggression has arisen, may take all necessary measures to remove such menace, and in particular, if the Council thinks right, those indicated in sub-paragraphs (a), (b), (c), (d) and (e) of the second paragraph of Article 5 of the present Treaty.

The High Contracting Parties which have been denounced and those which have stated themselves to be the object of a threat of aggression shall be considered as especially interested and shall therefore be invited to send representatives to the Council in conformity with Articles 4, 15 and 17 of the Covenant. The vote of their representatives shall, however, not be reckoned when calculating unanimity.

ARTICLE 4.

In the event of one or more of the High Contracting Parties becoming engaged in hostilities, the Council of the League of Nations shall decide, within four days of notification being addressed to the Secretary-General, which of the High Contracting Parties are the objects of aggression and whether they are entitled to claim the assistance provided under the Treaty.

Hostilities.

The High Contracting Parties undertake that they will accept such a decision by the Council of the League of Nations.

The High Contracting Parties engaged in hostilities shall be regarded as especially interested, and shall therefore be invited to send representatives to the Council (within the terms of Articles 4, 13 and 17 of the Covenant), the vote of their representative not being reckoned when calculating unanimity; the same shall apply to States signatory to any partial agreements involved on behalf of either of the two belligerents, unless the remaining Members of the Council shall decide otherwise.

ARTICLE 5.

The High Contracting Parties undertake to furnish one another mutually with assistance in the case referred to in Article 2 of the Treaty in the form determined by the Council of the League of Nations as the most effective, and to take all appropriate measures without delay in the order of urgency demanded by the circumstances.

Measures of assistance.

In particular, the Council may:

- (a) decide to apply immediately to the aggressor State, the economic sanctions contemplated by Article 16 of the Covenant, the Members of the League not signatory to the present Treaty not being, however, bound by this decision, except in the case where the State attacked is entitled to avail itself of the Articles of the Covenant;
- (b) invoke by name the High Contracting Parties whose assistance it requires. No High Contracting Party situated in a continent other than that in which operations will take place shall, in principle, be required to co-operate in military, naval or air operations;
- (c) determine the forces which each State furnishing assistance shall place at its disposal;
- (d) prescribe all necessary measures for securing priority for the communications and transport connected with the operations;
- (e) prepare a plan for financial co-operation among the High Contracting Parties with a view to providing for the State attacked and for the States furnishing assistance the funds which they require for the operations;
- (f) appoint the Higher Command and establish the object and the nature of his duty.

The representatives of States recognised as aggressors under the provisions of Article 4 of the Treaty shall not take part in the deliberations of the Council specified in this Article. The High Contracting Parties who are required by the Council to furnish assistance, in accordance with sub-paragraph (b), shall, on the other hand, be considered as especially interested, and, as such, shall be invited to send representatives, unless they are already represented, to the deliberations specified in sub-paras (c), (d), (e) and (f).

ARTICLE 6.

III. Complementary defensive agreements.

For the purpose of rendering the general assistance mentioned in Articles 2, 3 and 5 immediately effective, the High Contracting Parties may conclude, either as between two of them or as between a larger number, agreements complementary to the present Treaty exclusively for the purpose of their mutual defence and intended solely to facilitate the carrying out of the measures prescribed in this Treaty, determining in advance the assistance which they would give to each other in the event of any act of aggression.

Such agreements may, if the High Contracting Parties interested so desire, be negotiated and concluded under the auspices of the League of Nations.

ARTICLE 7.

Complementary agreements, as defined in Article 6 shall, before being registered, be examined by the Council with a view to deciding whether they are in accordance with the principles of the Treaty and of the Covenant.

In particular, the Council shall consider if the cases of aggression contemplated in these agreements come within the scope of Article 2 and are of a nature to give rise to an obligation to give assistance on the part of the other High Contracting Parties. The Council may, if necessary, suggest changes in the texts of agreements submitted to it.

When recognised, the agreements shall be registered in conformity with Article 18 of the Covenant. They shall be regarded as complementary to the present Treaty, and shall in no way limit the general obligations of the High Contracting Parties nor the sanctions contemplated against the aggressor State under the terms of this Treaty.

They will be open to any other High Contracting Party with the consent of the signatory States.

ARTICLE 8.

The States parties to complementary agreements may undertake in any such agreements to put into immediate execution, in the cases of aggression contemplated in them, the plan of assistance agreed upon. In this case they shall inform the Council of the League of Nations, without delay, concerning the measures which they have taken to ensure the execution of such agreements.

Subject to the terms of the previous paragraph, the provisions of Articles 4 and 5 above shall also come into force both in the cases contemplated in the complementary agreements and in such other cases as are provided for in Article 2 but are not covered by the agreements.

ARTICLE 9.

IV. Demilitarised zones.

In order to facilitate the application of the present Treaty, any High Contracting Party may negotiate, through the agency of the Council, with one or more neighbouring countries for the establishment of demilitarised zones.

The Council, with the co-operation of the representatives of the Parties interested, acting as Members within the terms of Article 4 of the Covenant, shall previously ensure that the establish-

ment of the demilitarised zone asked for does not call for unilateral sacrifices from the military point of view on the part of the High Contracting Parties interested.

ARTICLE 10.

The High Contracting Parties agree that the whole cost of any military, naval or air operations which are undertaken under the terms of the present Treaty and of the supplementary partial agreements, including the reparation of all material damage caused by operations of war, shall be borne by the aggressor State up to the extreme limits of its financial capacity.

V. Cost of intervention.

The amount payable under this article by the aggressor shall, to such an extent as may be determined by the Council of the League, be a first charge on the whole of the assets and revenues of the State. Any repayment by that State in respect of the principal money and interest of any loan, internal or external, issued by it directly or indirectly during the war shall be suspended until the amount due for cost and reparations is discharged in full.

ARTICLE 11.

The High Contracting Parties, in view of the security furnished them by this Treaty and the limitations to which they have consented in other international treaties, undertake to inform the Council of the League of the reduction or limitation of armaments which they consider proportionate to the security furnished by the general Treaty or by the defensive agreements complementary to the general Treaty.

VI. Disarmament.

The High Contracting Parties undertake to co-operate in the preparation of any general plan of reduction of armaments which the Council of the League of Nations, taking into account the information provided by the High Contracting Parties, may propose under the terms of Article 8 of the Covenant.

This plan should be submitted for consideration and approved by the Governments, and, when approved by them, will be the basis of the reduction contemplated in Article 2 of this Treaty.

The High Contracting Parties undertake to carry out this reduction within a period of two years from the date of the adoption of this plan.

The High Contracting Parties undertake, in accordance with the provisions of Article 8, para. 4, of the Covenant, to make no further increase in their armaments, when thus reduced, without the consent of the Council.

ARTICLE 12.

The High Contracting Parties undertake to furnish to the military or other delegates of the League such information with regard to their armaments as the Council may request.

ARTICLE 13.

The High Contracting Parties agree that the armaments determined for each of them, in accordance with the present Treaty, shall be subject to revision every five years, beginning from the date of the entry into force of this Treaty.

ARTICLE 14.

Nothing in the present Treaty shall affect the rights and obligations resulting from the provisions of the Covenant of the League of Nations or of the Treaties of Peace signed in 1919 and 1920 at Versailles, Neuilly, St. Germain and Trianon, or from the provisions of treaties or agreements registered with the League of Nations and published by it at the date of the first coming into force of the present Treaty as regards the signatory or beneficiary Powers of the said Treaties or agreements.

VII. Protocol. Maintenance of existing treaties.

ARTICLE 15.

The High Contracting Parties recognise from to-day as *ipso facto* obligatory, the jurisdiction of the Permanent Court of International Justice with regard to the interpretation of the present Treaty.

Compulsory jurisdiction of the Court.

ARTICLE 16.

The present Treaty shall remain open for the signature of all States Members of the League of Nations or mentioned in the Annex to the Covenant. States not Members shall be entitled to adhere with the consent of two-thirds of the High Contracting Parties with regard to whom the Treaty has come into force.

Signature.

ARTICLE 17.

Partial adhesion.

Any State may, with the consent of the Council of the League, notify its conditional or partial adherence to the provisions of this Treaty, provided always that such State has reduced or is prepared to reduce its armaments in conformity with the provisions of this Treaty.

ARTICLE 18¹.

Ratification.

[The present Treaty shall be ratified and the instruments of ratification shall be deposited as soon as possible at the Secretariat of the League of Nations.

It shall come into force:

In Europe when it shall have been ratified by five States, of which three shall be permanently represented on the Council;

In Asia when it shall have been ratified by two States, one of which shall be permanently represented on the Council;

In North America when ratified by the United States of America;

In Central America and the West Indies when ratified by one State in the West Indies and two in Central America;

In South America when ratified by four States;

In Africa and Oceania when ratified by two States.

With regard to the High Contracting Parties which may subsequently ratify the Treaty, it will come into force at the date of the deposit of the instrument.

The Secretariat will immediately communicate a certified copy of the instruments of ratification received to all the signatory Powers.

It remains understood that the rights stipulated under Articles 2, 3, 5, 6 and 8 of this Treaty will not come into force for each High Contracting Party until the Council has certified that the said High Contracting Party has reduced its armaments in conformity with the present Treaty or has adopted the necessary measures to ensure the execution of this reduction, within two years of the acceptance by the said High Contracting Party of the plan of reduction or limitation of armaments.]

ARTICLE 19¹.

Denunciation.

[The present Treaty shall remain in force for a period of fifteen years from the date of its first entry into force.

After this period, it will be prolonged automatically for the States which have not denounced it.

If, however, one of the States referred to in Article 18 denounces the present Treaty, the Treaty shall cease to exist as from the date on which this denunciation takes effect.

This denunciation shall be made to the Secretariat of the League of Nations, which shall, without delay, notify all the Powers bound by the present Treaty.

The denunciation shall take effect twelve months after the date on which notification has been communicated to the Secretariat of the League of Nations.

When the period of fifteen years, referred to in the first paragraph of the present Article, has elapsed, or when one of the denunciations made in the conditions determined above takes place, if operations undertaken in application of Article 5 of the present Treaty are in progress, the Treaty shall remain in force until peace has been completely re-established.]

IV. COMMENTARY ON THE DEFINITION OF A CASE OF AGGRESSION

(Drawn up by a Special Committee of the Temporary Mixed Commission after examination of the question by the Permanent Advisory Commission².)

1. It would be theoretically desirable to set down in writing, if it could be done, an exact definition of what constitutes an act of aggression. If such a definition could be drawn up, it would then merely remain for the Council to decide in each given case whether an act of aggression within the meaning of this definition had been committed.

It appears, however, to be exceedingly difficult to draw up any such definition. In the words of the Permanent Advisory Commission "under the conditions of modern warfare, it would seem impossible to decide even in theory what constitutes an act of aggression".

2. Hitherto, according to the opinion expressed by certain members of the Permanent Advisory Commission, in the Report drawn up by that Commission, "aggression could be defined as mobilisation or the violation of a frontier. This double test has lost its value".

It is further stated that:

"Mobilisation, which consisted, until quite recently, of a few comparatively simple operations (calling up of reserves, purchases of requisitions and establishment of war

¹ See page 402 §d.

² This Committee was composed as follows:

Lord Robert Cecil (Chairman), Count Bonin-Longare, M. Janssen, M. Jouhaux, Rear-Admiral Kiyokawa, Colonel Lohner, Admiral Marquis de Magaz, General de Marinis-Stendardo di Ricigliano, Lieut-Colonel Réquin, Rear-Admiral Segrave.

industries, after the calling up of the men, has become infinitely more complicated and more difficult both to discover at its origin and to follow in its development. In future, mobilisation will apply not merely to the army but to the whole country before the outbreak of hostilities (collection of stocks of raw materials and munitions of war, industrial mobilisation, establishment or increased output of industries). All these measures which give evidence of an intention to go to war may lead to discussions and to conflicting interpretations, thus securing decisive advantages to the aggressor unless action be taken."

3. Similarly, in the view of the Permanent Advisory Commission, the test of the violation of a frontier has also lost its value.

The Report states:

"The violation of a frontier by 'armed forces' will not necessarily be, in future, such an obvious act of violence as it has hitherto been... The passage of the frontier by the troops of another country does not always mean that the latter country is the aggressor. Particularly in the case of small States, the object of such action may be to establish an initial position which shall be as advantageous as possible for the defending country, and to do so before the adversary has had time to mass his superior forces. A military offensive of as rapid a character as possible may therefore be a means, and perhaps the only means, whereby the weaker party can defend himself against the stronger. It is also conceivable that a small nation might be compelled to make use of its Air Forces in order to forestall the superior forces of the enemy and take what advantage was possible from such action.

"Finally, the hostilities between two naval Powers generally begin on sea by the capture of merchant vessels or other acts of violence — very possibly on the high seas outside territorial waters. The same applies to air operations which may take place without any violation of the air frontiers of States".

Nevertheless it is still conceivable that in many cases the invasion of a territory constitutes an act of aggression and, in any case, it is important to determine which State had violated the frontier.

If the troops of one Power invade the territory of another, this fact in itself constitutes a presumption that the first Power has committed a wrongful act of aggression.

But, apart from the considerations already given, this is not entirely conclusive. When armies have been practically in contact on the frontier which divides their respective countries, it may be exceedingly difficult to obtain conclusive evidence as to which of them first crossed the frontier; and, once the frontier is crossed and hostilities have begun, it may not be possible to know from the geographical position of the troops alone which State was guilty.

4. In order to avoid such a case arising, the Council might desire, in certain cases where such a course could be followed without disadvantage to either party, either before hostilities began, or even after they had begun, to invite both parties to withdraw their troops a certain distance behind a given line. It might be that such a request could be made by the Council with the intimation that, if either party refused to accede to it, such refusal would be considered as an element in deciding which was the aggressor.¹

5. There may, of course, be other cases in which some action of one of the parties will simplify the matter by proving it clearly to be the aggressor. If, for example, one Power carried out a large-scale attack upon the territory of the other, that would be conclusive. Similarly, a surprise attack by poison gas, executed from the air on the territory of the other party, would be decisive evidence.

6. It may, however, be accepted that no satisfactory definition of what constitutes an act of aggression could be drawn up. But even supposing that such a definition were possible, there would still be difficulty in determining when an act of aggression within the meaning of this definition has actually taken place. In the view of the Permanent Advisory Commission, the signs of an intention of aggression would appear in the following order:

- (1) Organisation on paper of industrial mobilisation.
- (2) Actual organisation of industrial mobilisation.
- (3) Collection of stocks of raw materials.
- (4) Setting on foot of war industries.
- (5) Preparation for military mobilisation.
- (6) Actual military mobilisation.
- (7) Hostilities.

¹ Count Boin-Longare and General de Marinis state that they would prefer that this article should be suppressed.

M. Jouhaux prefers the original text, drawn up by Lord Robert Cecil, which runs as follows: "In order to avoid such a case arising, it might well be that the Council of the League might desire, either before hostilities began, or even after they had begun, to invite both parties to withdraw their troops at a certain distance behind a given line. It might be that such a request could be made by the Council with the intimation that whichever party refused to accede to it would be considered the aggressor."

Numbers (1) and (5) (and to some extent Number (2)), which are in all cases difficult to recognise, may, in those countries which are not subject under the Peace Treaties to any obligation to disarm, represent precautions which every Government is entitled to take.

Number (3) may be justified by economic reasons, such as profiting by advantageous markets or collecting stocks in order to guard against the possible closing of certain channels of supply owing to strikes, etc.

Number (4) (Setting on foot of war industries) is the first which may be definitely taken as showing an intention to commit aggression: it will, however, be easy to conceal this measure for a long period in countries which are under no military supervision.

When Numbers (6) and (7) are known to have taken place, it is too late.

In the absence of any indisputable test, Governments can only judge by an impression based upon the most various factors, such as: —

the political attitude of the possible aggressor;
his propaganda;
the attitude of his press and population;
his policy on the international market, etc.

7. One of the conclusions which follows from the above contentions set forth in the report of the Permanent Advisory Commission is that, quite apart from the material sides of the aggressive intention, the real act of aggression may lie, not so much in orders given to its troops by one of the parties, as in the attitude which it adopts in the negotiations concerning the subjects of dispute. Indeed, it might be that the real aggression lies in the political policy pursued by one of the parties towards the other. For this reason it might perhaps appear to the Council that the most appropriate measure that could be taken would be to invite the two parties, either to abstain from hostilities or to cease the hostilities they have begun, and to submit their whole dispute to the recommendation of the Council or the decision of the Permanent Court of International Justice, and to undertake to accept and execute whatever recommendation or decision either of these bodies might give. Such an invitation might again be accompanied by an intimation that the party which refused would be considered to be the aggressor.

8. It is clear, therefore, that no simple definition of aggression can be drawn up, and that no simple test of when an act of aggression has actually taken place can be devised. It is therefore clearly necessary to leave the Council complete discretion in the matter, merely indicating that the various factors mentioned above may provide the elements of a just decision. These factors may be summarised as follows:

- (a) Actual industrial and economic mobilisation carried out by a State either in its own territory or by persons or societies on foreign territory.
- (b) Secret military mobilisation by the formation and employment of irregular troops or by a declaration of a state of danger of war which would serve as a pretext for commencing hostilities.
- (c) Air, chemical or naval attack carried out by one party against another.
- (d) The presence of the armed forces of one party in the territory of another.
- (e) Refusal of either of the parties to withdraw their armed forces behind a line or lines indicated by the Council.¹
- (f) A definitely aggressive policy by one of the parties towards the other, and the consequent refusal of that party to submit the subject in dispute to the recommendation of the Council or to the decision of the Permanent Court of International Justice and to accept the recommendation or decision when given.

9. In conclusion, it may be pointed out that in the case of a surprise attack it would be relatively easy to decide on the aggressor, but that in the general case, where aggression is preceded by a period of political tension and general mobilisation, the determination of the aggressor and the moment at which aggression occurred would prove very difficult.

But it must be remembered that in such a case the Council, under the provisions of the Covenant, will have been engaged in efforts to avoid war and may therefore probably be in a position to form an opinion as to which of the parties is really actuated by aggressive intentions.

V. NOTES BY THE COMMITTEE OF JURISTS.

On the proposal of M. Salandra, the Council of the League of Nations, at its meeting held on December 1st, decided to refer for examination to a Committee of Jurists nominated by the President the text of the Draft Treaty of Mutual Assistance drawn up by the Temporary Mixed Commission.

¹ Count Bonin-Longare and General de Marinis refer to the reservations made by them on No. 4.

Following on this decision, M. de Vicomte Ishii, President of the Council, nominated the following Jurists as Members of this Committee:

Dr. Juan José AMEZAGA	Uruguay
Professor Joseph BARTHÉLEMY	France
M. C. BOTELLA	Spain
Dr. J. A. van HAMEL,	
Director of the Legal Section of the League of Nations.	
Mr. Hugh KENNEDY	Irish Free State
H.E. M. Afranio de MELLO-FRANCO	Brazil
M. H. A. ROLIN	Belgium
H.E. M. Vittorio SCIALOJA	Italy
M. Yotaro SOUGHIMOURA	Japan
M. Oesten UNDEN	Sweden.

The Committee held a number of meetings and examined the text of the Articles adopted by the Third Assembly Committee during its first reading. The observations which a study of this text suggested formed the subject of a series of Notes addressed on September 14th, 19th, 22nd, 25th and 27th, to M. Skirmunt, President of the Third Committee and distributed to the Members. A large number of these observations were adopted by the Third Committee during the second reading.

The following Notes on matters of substance are those which the Third Committee was unable to take into consideration by reason of the shortness of time available for completing its task.

(Signed)

Joseph BARTHÉLEMY,
Chairman.

Henri ROLIN,
Secretary.

§ I.

PACT OF NON-AGGRESSION.

ARTICLE I.

(Draft proposed by the Committee of Jurists.)

“The High Contracting Parties solemnly declare that a war entered into contrary to the provisions of the Covenant constitutes an international crime and they severally undertake that none of them will be guilty of its commission.”

Observations:

1. The text proposed by the Third Committee constitutes an undertaking that the Contracting Parties will not be guilty of “aggressive war”. This term is not used in the Covenant. Mention is made in the latter of aggression, menace of aggression, and resort to war. It prohibits resort to war in the cases indicated in Articles 12-13 and 15, that is to say, until three months after the arbitral award or judicial decision or the report of the Council; or against a State which complies with a decision of the Court of Justice or a unanimous recommendation of the Council.

It authorises by implication war in the case of States which comply with a unanimous recommendation by the Council and, in general, in the case of all parties to a dispute in which the Council fails to reach a unanimous recommendation (Article 15, paragraph 7).

A war declared under these conditions may occasionally be justly described by public opinion as an aggressive war; it cannot, however, be considered as an international crime in the legal sense of the word, and the High Contracting Parties certainly cannot insist that the Council should consider as such the use which a Member, not a signatory of the Treaty, may make of a right reserved to it by the Covenant. The effect of the suggested stipulation should therefore be limited to the High Contracting Parties.

2. With regard to the signatories of the Treaty, the prohibition to resort to war presents serious practical difficulties; it would, in effect, imply an extension of the power of the Council to whom the task of ensuring the execution of its recommendations taken on a simple majority vote would have to be entrusted. It seems that, either the draft should be completed in this respect, or else the amendment suggested above accepted.

3. The amendment proposed by the Committee of Jurists means no more than a reference to the obligations of the Covenant. The mention of these obligations at the beginning of the present draft might seem useless. It may be, however, justified on the grounds of the possible participation in the Treaty of States which are not members of the League of Nations.

OBLIGATIONS OF GENERAL ASSISTANCE.

ARTICLE 2.

Casus Fœderis.

(Wording proposed by the Committee of Jurists.)

“The High Contracting Parties jointly and severally undertake to furnish assistance, in accordance with the provisions of the present Treaty, to any one of their number which, after having reduced its armaments in accordance with the present Treaty, may be the object of a war *forbidden by the Covenant of the League of Nations either on account of its origin or of its object.*”

Observations:

The Committee of Jurists considers that the objections they have raised in Article 1 apply with even greater force to this article. The word “aggression” covers not only all possible cases of recourse to war in violation of the Covenant but applies also to certain other hypothetical cases and involves the carrying into effect of defensive mutual assistance in cases of recourse to war authorised by the Covenant.

The Committee of Jurists has already pointed out in the course of its observations referring to Article 1 that this solution would oblige the extension of the authority of the Council as a mediating body.

While Article 1 does not confer this right to the Council, Article 2 appeals to its intervention for the organisation of the mutual assistance.

The Committee sees here a new and serious difficulty. The case may be considered where a Member of the League not a Contracting Party attacks a Contracting Party under circumstances in which the Covenant implicitly authorises such a measure by Article 15, paragraph 6.

The Treaty becomes operative, but not the Covenant. The Council is called upon to intervene and to organise the action to be taken by the High Contracting Parties against a Member of the League which is exercising its right. Certain Members of the Council doubtless belong to States which are not themselves parties to the Treaty. Will they be able to take part in this use of the High Contracting Parties' forces against the State which, while not a party to the Treaty, is exercising the right conferred on it by the Covenant?

The Committee of Jurists considers that the solution of this problem would give rise to inextricable complications.

The text proposed by the Committee of Jurists refers to the Covenant. The expression “war forbidden on account of its object” aims at the possibility of a war the launching of which would not be contrary to the obligations of the Members of the League, defined by Articles 12-15, but that would nevertheless call forth a general intervention as being directed against the political independence or the territorial integrity of the member.

ARTICLE 4.

Observations:

The Committee did not consider itself competent to delete the term of four days imposed on the Council by the text submitted, but it entertains doubts on the validity of any such clause, the penalty for non-observance of which it is impossible to conceive.

Further, in connection with the third paragraph, it is moreover of opinion that it is desirable to provide for the case in which there would be no “remaining Members”, or, if any, they would be too few in number, and belong to countries too distant to permit of their taking authoritative and competent decisions.

§ 3.

COMPLEMENTARY AGREEMENTS.

ARTICLES 6 TO 9.

Observations:

One member of the Committee of Jurists raised the question as to whether the High Contracting Parties were thereby deprived of the right of concluding partial agreements beyond the scope of the provisions of Articles 6, 7 and 8, and also as to whether they were free to conclude complementary agreements with States not parties to the Treaty. The Committee of Jurists did not consider itself in a position to express an opinion on these questions because of their political nature.

ARTICLE 9.

Demilitarised zones.

(Wording proposed by the Committee of Jurists.)

"In order to facilitate the application of the present Treaty, any High Contracting Party may negotiate under the auspices of the Council with one or more High Contracting Parties for the establishment of demilitarised neutral zones provided that this establishment does not involve unilateral or unequal sacrifices on the part of any of the parties."

Observations:

1. The Committee of Jurists thinks it would be better to adopt in the provision relating to neutralisation agreements the same wording as that used in connection with the complementary defensive agreements.

2. The object of this provision is apparently to oblige States to reply to any invitation addressed to them by a neighbouring State to have the question of creating a demilitarised zone examined before the Council. This obligation is not contained in the Covenant. It would therefore seem necessary to make it clear that it applies only to the High Contracting Parties.

3. Lastly, the Committee of Jurists thinks it necessary to point out that the draft did not define the legal consequences of such neutralisation agreements. Are they complementary to the general Treaty of Mutual Assistance, and does the violation of a neutral zone constitute a *casus fœderis*?

§ 5.

COST OF INTERVENTION.

ARTICLE 10.

Payment of cost of operation of collective repression.

(Wording proposed by the Committee of Jurists.)

"The High Contracting Parties are of opinion, in accordance with the spirit of this Treaty, that the whole cost of any military, naval or air operations which are undertaken for the repression of an aggression under the terms of the present Treaty, and also the reparation of all material damage caused by the operations and of all injuries suffered by civilians or members of the military forces, should be borne by the aggressor State up to the extreme limits of its financial capacity."

Observations.

1. The Committee of Jurists is of opinion that the High Contracting Parties cannot assume an engagement on this subject, for there is a possibility that the war claims might conflict as to priority with the claims of other States.

The Council must be trusted to satisfy in the greatest possible degree the principles laid down in the first paragraph.

2. The Committee of Jurists thinks that the Third Committee intended that mention should be made of injuries to individuals, who appeared to be excluded by the restrictive nature of the proposed working.

§ 6.

DISARMAMENT

ARTICLES 11-13.

(No observations.)

§ 7.

• REFERENCES TO THE TREATIES IN FORCE.

ARTICLE 15.

(Draft proposed by the Committee of Jurists.)

"Nothing in the present Treaty shall affect the rights and obligations resulting from the provisions of the Covenant of the League of Nations, or of the Treaties of Peace

signed in 1923, 1919 and 1920 at Versailles, Neuilly, St. Germain, Trianon and Lausanne, or from the provisions of treaties or agreements registered with the Secretariat of the League of Nations at the date of the drawing up of the present Treaty.

"The High Contracting Parties whose international status prohibits the use of military forces outside their frontiers shall be *ipso facto* exempt from the duty of affording general military assistance as laid down in the present Treaty."

Observations:

1. By virtue of this provision, the High Contracting Parties recognise the validity of the international treaties mentioned above; but it has seemed to the Committee of Jurists that this provision might at the most extend to the treaties in being at the time of the signing of the present treaty; it seems impossible that the High Contracting Party should recognise the validity of treaties which might be concluded in the absence of all supervision, subsequently to signature and previously to the entry into force of the Treaty of Mutual Assistance.

2. The Committee of Jurists has considered it advisable to delete the mention of publicity, which depends on the Secretariat only and necessarily ensues upon registration.

The Committee of Jurists believes that in the same way as Switzerland has been enabled to adhere to the Covenant of the League of Nations in spite of its system of neutrality, in like manner the Third Committee admitted the eventuality of the general adhesion of this country and of the disarmed States to the Treaty of Mutual Assistance but it would seem advisable to embody this idea definitely in the Treaty. If adhesion is made conditional, as laid down in Art. 17, the entry of these States would be subordinated to the approval of the Council which is contrary to the spirit of Article 16.

§ 8.

SIGNATURE, PARTIAL ADHESION, RATIFICATION AND DENUNCIATION.

ARTICLES 16 TO 19.

Observation:

On account of the shortness of time, the Committee of Jurists has been unable to consider these articles as fully as it would wish.

ARTICLE 17.

Partial Adherence.

(Draft proposed by the Committee of Jurists.)

Subject to the application of the provisions of Article 16, any State may, with the previous consent of the Council of the League of Nations, adhere conditionally or partially to the stipulations of the said Treaty.

Under no circumstances shall reservations to the provisions relating to reduction of armaments be admitted.

Observations:

1. The Committee of Jurists, in reading the minutes, could not clearly understand whether it was the intention of the Third Committee to be satisfied as regards the partial or conditional adhesion of States non-Members of the League merely with the previous consent of the Council; the wording "send an adhesion... provided always that such adherence is accepted" gives ground for the belief that the Third Committee did not intend to exempt the Members of the League from the necessity of obtaining the consent of the two-thirds.

2. It would be in conformity with the spirit of this article that the Council should consider the formulæ proposed and ultimately suggest modifications which would emphasise in each case the rights and the obligations of the new Members.

ARTICLE 18.

Observation:

The Committee of Jurists considers it desirable to call the attention of the Committee to complications which may arise should the Treaty be supposed to enter into force by continents owing to the fact that certain Powers have possessions in different continents. As regards Asia, for example, will it be sufficient if His Majesty the King of Great Britain has ratified the Treaty for India?

ANNEX 34 (Part II).

REDUCTION OF ARMAMENTS.

REPORT OF THE THIRD COMMITTEE TO THE FOURTH ASSEMBLY.

(Rapporteur: M. BENES.)

SUMMARY OF CONTENTS

- I. Limitation of National Expenditure on Armaments.
- II. Statistical Enquiry and Exchange of Information.
- III. Private Manufacture and Control of the Traffic in Arms.
- IV. Chemical Warfare.
- V. Extension of the Principles of the Washington Naval Treaty.
- VI. Regional Agreements.
- VII. Renewal of the Mandate of the Temporary Mixed Commission.

I. LIMITATION OF NATIONAL EXPENDITURE ON ARMAMENTS.

The Assembly has on several occasions advocated the limitation of armaments, pending the possibility of their reduction as a result of the preparatory work now in progress. With this end in view various recommendations have been voted by successive Assemblies. The last of these recommendations which the Temporary Mixed Commission has examined was made by the Third Assembly, and is worded as follows :

“ That the European States existing before the war of 1914 under their present description, whose juridical status has not been altered by the war, and which are not, at the moment, engaged in military operations which justify their armaments, be invited to reduce the total of their military, naval, and air expenditure to the figures for 1913. ”

The enquiries of the Temporary Mixed Commission have shown the difficulties of carrying out this recommendation.

The Third Committee has, however, endeavoured to work on the lines laid down for it by the preceding Assembly, the more so as the statistical work of the Secretariat has shown a decrease in army expenditure in the case of most States. It therefore proposes to the present Assembly the adoption of the following resolution :

“II. The Assembly :

“Notes with great satisfaction that in the course of the last three years the States Members of the League have, with very few exceptions, been able to reduce their expenditure on armaments;

“Desires that this fortunate development should become more marked and more general ;

“Recalls the resolutions of the preceding Assemblies concerning the limitation of expenditure on armaments :

“And requests the Council to recommend to the Members of the League not to exceed, during the period necessary for the elaboration and the adoption of the general scheme for the reduction of armaments, the total expenditure on military, naval and air armaments provided for in the budget of the present fiscal year ;

“Subject to the reservation, however, that allowance shall be made :

“(a) for all contributions of effectives, material or money recommended by the Council for the execution of the obligations provided for in Article 16 of the Covenant;

“(b) for all exceptional situations brought to the notice of the Council and recognised by it as such.”

II. STATISTICAL ENQUIRY AND EXCHANGE OF INFORMATION.

From the very beginning, the Temporary Mixed Commission emphasised the importance of statistics in the matter of the reduction of armaments.

In its report to the Second Assembly, the Committee stated that the statistical data to be collected regarding armaments in different countries logically constituted "the only sound basis on which a criterion for dealing practically with the problem of disarmament can rest".

This work has always been considered by the Temporary Mixed Commission as an essential part of the series of preliminary enquiries undertaken with a view to the reduction of armaments. While the study of the Treaty of Guarantee may be considered as an investigation into the *method* to be adopted, the statistical enquiry would correspond to the investigation of the *matter* which should form the object of the desired reduction.

The Third Assembly recognised that the object of the statistical enquiry should be "the full military strength of the States", including :

- (1) The actual military strength which is expressed in peace-time armaments and the expenditure on national defence ;
- (2) The potential military strength, in which the important element is the industrial and economic power of each State, the military importance of which was proved by the last war.

Having made this declaration, the Assembly nevertheless considered it desirable on grounds of expediency to restrict the scope of the statistical enquiry for the current year to the two following questions :

- (1) Peace-time armaments.
- (2) Expenditure on armaments.

The two volumes on the statistical enquiry submitted to the Assembly by the Temporary Mixed Commission deal with these two subjects respectively.

It should, however, be noted that the first of these volumes has been prepared on the basis of the tables submitted by the Permanent Advisory Commission and adopted by the Temporary Mixed Commission, which, with the Council's approval, were forwarded to the Governments of all the States Members of the League on March 1st, 1923. These tables give statistical data concerning peace-time armaments, as shown in the replies from the following Governments :

Albania	France	New Zealand
Austria	Great Britain	Norway
Belgium	Greece	Poland (excluding land forces)
Bulgaria	Hungary	Kingdom of the Serbs, Croats and Slovenes
Canada	Italy (excluding aviation)	South Africa
China	Japan	Sweden
Czechoslovakia	Latvia	Switzerland
Denmark	Luxemburg	
Esthonia	Netherlands.	

The data have been collected from Volume I of the Statistical Enquiry.

This collection comprises, in addition, a short *exposé* of the systems of recruitment existing in each country. This latter has been drawn up by the Secretariat from official and public documents according to the Commission's instructions.

Volume II has been prepared by the statistical specialists at the Secretariat from data obtained from official sources, such as budgets and other official and public documents received from the various countries. The Secretariat has been authorised by the Temporary Mixed Commission to submit this publication to the Assembly. It consists of a series of separate and independent monographs, which show as clearly as it has been possible to do so the expenditure on armaments of each of the countries under consideration and the fluctuations of this expenditure in the years 1921-1923.

Two conclusions may be drawn from a study of this publication.

The first, already pointed out by the authors, is that it is impossible to draw comparisons between the expenditure of the various countries without first undertaking a very minute analysis of the profound differences in the methods of administration and systems of public book-keeping adopted by the various States, and in other circumstances which influence the matter.

The second is that, in the majority of cases, when the fluctuation in currency values and in wholesale prices has been taken into account, military expenditure shows a clear tendency to decrease.

Work in connection with the statistical enquiry will this year be undertaken on different lines, and will be more uniform and uninterrupted, as a result of the investigations carried

out by the Temporary Mixed Commission in respect of the application of the last paragraph of Article 8 of the Covenant concerning the exchange of information.

In the light of the recommendations of the Temporary Mixed Commission with regard to this matter, the Council adopted the following resolution :

“The Council, in view of the decision of the Temporary Mixed Commission with regard to the publication of a year-book which would allow the carrying-out as from the present time of the intentions of the last paragraph of Article 8 of the Covenant, decides to authorise the Secretariat to publish this year-book, beginning with an experimental volume dealing with the figures for 1923 and developing this publication by degrees according to the experience acquired, it being clearly understood that the information would be drawn solely from official and public documents, and that the programme of the year-book would exactly correspond to the terms of the last paragraph of Article 8 of the Covenant.”

These two questions have thus been brought into relation with each other by the Council's decision quoted above.

Henceforward, the statistical enquiry will cover the greatest possible number of countries and will be defined and limited by the programme for the exchange of information resulting from the last paragraph of Article 8 of the Covenant. It is understood that this enquiry must include the potential military power of States and therefore their wealth in raw materials and their industrial power. The Secretariat, under the direction of the Temporary Mixed Commission, will collect the information necessary for the publication of the statistical year-book in official and public documents.

Guided by the Council's decision, and with a view to the continuation of the work of statistical enquiry with which the Temporary Mixed Commission has been occupied since the time of its appointment, the Third Committee has adopted the following resolution :

“III. The Assembly expresses its approval of the decisions which the Council has taken in connection with the publication of a Year-Book of Statistical Information concerning National Armaments, and recommends that, in preparing this volume, the Secretariat should take into account the recommendations put forward in the report of the Temporary Mixed Commission.”

III. PRIVATE MANUFACTURE OF ARMS AND CONTROL OF THE TRAFFIC IN ARMS.

These two questions, which, as the Third Assembly recognised, are closely inter-related, call more and more urgently for international solution. It has been recognised on all sides that a solution is only possible as a result of co-operation on the part of the great producing countries.

The first attempt at solution — the St. Germain Convention — failed, principally because the United States Government found itself unable to ratify the Convention.

At the request of the Third Assembly, the Council again addressed to the United States Government an enquiry as to the conditions upon which it might be disposed to co-operate with the other States with a view to the solution of this serious problem.

It was while the deliberations of the Committee were in progress that the reply from the United States Government was received by the Council and submitted by the latter to the Assembly. This reply reiterates the objections of the United States Government to the St. Germain Convention, but apparently proposes no method and makes no suggestion likely to permit of an international solution of the problem in co-operation with the United States.

The Committee nevertheless considered that the League of Nations should persevere in its efforts in a matter of such infinite importance to the cause of international peace.

Taking into account the preliminary work already carried out by the Temporary Mixed Commission and by the Secretariat in this matter, it adopted the two following resolutions, in the hope that they would make it possible to arrive at a solution of the question at an early date :

“(a) *Traffic in Arms.*”

“IV (a). The Assembly recommends that the Temporary Mixed Commission should be invited to prepare a new convention or conventions to replace that of St. Germain for the control of the traffic in arms.

“The Temporary Mixed Commission should be requested to draw up the draft convention or conventions in such a form that they might be accepted by the Governments of all countries which produce arms or munitions of war.

“The Temporary Mixed Commission should, however, also make alternative proposals for a convention or conventions which might be adopted by some of the producing Powers even if others refused their co-operation.

“The Assembly recommends that the Council should invite the United States Government to appoint representatives to co-operate with the Temporary Mixed Commission in preparing the draft convention or conventions.”

(b) *Private Manufacture of Arms.*

"IV (b). The Assembly recommends that the Council should invite the Temporary Mixed Commission to refer its scheme for the control of private manufacture of arms and munitions to the Economic Committee of the League for its observations; and that it should also endeavour, in co-operation with the Economic Committee, to draw up draft conventions for this purpose.

"The Assembly recommends that, when the Council has received the report of the Temporary Mixed Commission concerning the arms traffic and private manufacture of arms, it should consider the question of summoning an International Conference to draw up conventions on this subject."

IV. CHEMICAL WARFARE.

The Temporary Mixed Commission has, for the last year, had before it a resolution of the Third Assembly on this subject, the text of which is as follows:

"(a) The Assembly, having considered the report of the Temporary Mixed Commission on the subject of the development of chemical warfare, approves its action in establishing a special Sub-Committee to report on the probable effects of chemical discoveries in future wars, and requests the Council and the Temporary Mixed Commission to take every possible measure to secure the fullest publicity for the report of this Sub-Committee.

"(b) The Assembly requests the Council to recommend the Members of the League and other nations to adhere to the Treaty of Washington (February 6th, 1922) concerning the use of asphyxiating gas and submarines in war, and other similar matters."

As regards the second part of this resolution, the Council decided to put the adhesion to the Washington Convention concerning the use of poisonous gas and submarines in war on the agenda of the International Conference for the Limitation of Naval Armaments proposed by the Assembly.

As regards the first paragraph, the Temporary Mixed Commission had appointed, from among its members, a Committee consisting of Lord Robert Cecil, Admiral Segrave, General de Marinis and Colonel Réquin, which, in consultation with eminent bacteriologists and chemists, has been engaged in drawing up the report suggested by the Assembly.

The Third Committee's discussions have again emphasised the importance of this question.

The necessarily inhuman nature of war is intensified by modern discoveries in the domains of chemistry and bacteriology. War being in itself a relentless struggle for life, chemical and bacteriological weapons emphasise the inhuman quality of this struggle and heighten the dangers of war to such an extent as to threaten the very existence of mankind and civilisation.

It is, however, possible to turn this terrible danger to account by bringing it home to public imagination in order to make the outbreak of future wars even less likely.

The Committee has also discussed a proposal aiming at an extension of the work of the Special Committee to include the study and publication of the means of defence against chemical and bacteriological weapons. The Committee did not feel itself to be in a position so to widen the mandate of the Special Committee, and therefore rejected the proposal.

In conclusion, the Third Committee proposed that the Assembly should adopt the following resolution:

"V. The Assembly awaits with interest the report of the Special Committee on the probable effects of chemical discoveries in future wars and it again requests the Council and the Temporary Mixed Commission to ensure by all possible means the fullest publicity to the report of the Committee."

V. THE EXTENSION OF THE PRINCIPLES OF THE NAVAL TREATY OF WASHINGTON TO NON-SIGNATORY STATES.

In the course of its discussions, the Third Committee considered M. Salandra's report to the Council relative to the extension of the principles of the Naval Treaty of Washington to non-signatory States. This report had been approved by the Council at its meeting of September 20th, 1923.

In accordance with the terms of this report, the Council requested the Permanent Advisory Commission to enquire into the extension of its technical scheme relating to the application of the principles of the Treaty of Washington to States which had not signed that Treaty and were not Members of the League. The Third Committee did not pass a specific resolution on this subject, but in its report it places on record the keen interest it takes in this question and expresses the hope that the International Conference summoned to consider the extension of the principles of the Washington Treaty to non-signatory countries will meet at as early a date as possible and with successful results.

VI. DRAFT REGIONAL AGREEMENTS FOR THE REDUCTION OF ARMAMENTS.

The Committee has taken note of the chapter in the Temporary Mixed Commission's report relating to the Conference of Santiago and Moscow, to the Convention concluded between five Central American Republics on the limitation of armaments, as well as to the Continental Treaty for the Prevention of Disputes between the American States. The Committee, in its report, thought it advisable to call the Assembly's attention to the good example set by the States of America which have succeeded in giving effect to an agreement for the limitation of their armaments. This convention belongs to the type of partial agreement which the Third Assembly had already considered and has recommended to the attention of the Council and the Temporary Mixed Commission.

The Third Committee desired to reiterate its confidence in this type of treaty for the purpose of solving the problem of the reduction of armaments in certain special cases and for certain regions of the world, and passed the following resolution :

“VI. The Assembly,

“In view of Resolution XV of the Third Assembly concerning the problem of the reduction of armaments:

“Asks the Council to request the Temporary Mixed Commission to consider the possibility of recommending, concurrently with the general scheme for the reduction of armaments, the negotiation of draft partial agreements for the same purpose, to be submitted for examination and decision to the Governments of the States Members of the League which are in a special geographical position, and brought to the notice of States not Members of the League.

“These draft agreements might, should opportunity arise, provide for reductions of armaments still greater than those provided for by the general scheme.”

VII. RENEWAL OF THE MANDATE OF THE TEMPORARY MIXED COMMISSION.

The Third Committee was called upon to consider the organisation of the work of the League of Nations in connection with the reduction of armaments, and more especially the question of the renewal of the mandate of the Temporary Mixed Commission.

After having discussed the matter, the Committee decided to recommend to the Assembly the adoption of the following resolution :

“VII. The Temporary Mixed Commission shall be invited to continue for a further period of one year the work which it has undertaken and to submit its report as early as possible before the meeting of the next Assembly.

“The Assembly is of opinion that it is henceforth the duty of the Council to establish direct co-operation with the Governments with a view to formulating the general plan for the reduction or limitation of armaments which, under Article 8 of the Covenant, must be submitted for the consideration and decision of the several Governments.

“The Assembly requests the Council to regulate and co-ordinate the work of the Temporary Mixed Commission and of the Permanent Advisory Commission, in anticipation of the possible expiration of the Temporary Mixed Commission's mandate at the next Assembly.

“The Assembly, having considered the resolution noted by the Second Assembly in regard to the Disarmament Section of the Secretariat, and taking into account the importance of this organisation, is of the opinion that the Secretariat should be requested to re-establish, when circumstances permit, the special directorship of this Section which the Second Assembly recognised as necessary.”

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