

# MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

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Communications concerning the *Monthly Summary* should be addressed to the Information Section, League of Nations, Geneva.

### I. — Summary of the Month.

JANUARY 1927

With January began a period of preparation for the numerous important meetings scheduled for the spring of 1927. There was one plenary meeting—that of the Advisory Committee on Traffic in Opium—and a certain number of conferences of experts, mainly on questions touching the activity of the Technical Organisations.

The Health Organisation, at the request of several national health administrations, undertook to publish a special bulletin on the prevalence and character

(1) For documentation on the International Economic Conference see pages 2 and 3 of the cover (advertisements).

of the influenza epidemic. It also inaugurated the first of its international continuation courses in public health.

The question of the foundation, organisation and work of an International Museum Office was discussed at a meeting of representatives of museums. Meetings of the bibliographical sub-committees of the Committee on Intellectual Co-operation took place towards the end of the month.

Draft conventions for the execution of arbitral awards pronounced abroad and on matters connected with double taxation were prepared by committees of experts. The question of travelling documents for persons without nationality was examined by a special committee of the Transit Organisation.

Among the communications received figured a report from the President of the Straits Commission on naval forces in the Black Sea and the twenty-eighth quarterly report of the Saar Governing Commission.

The French and Turkish Governments submitted to the Permanent Court of International Justice a question in connection with the collision of the steamships "Boz-Kourt" and "Lotus".

## II. — The Permanent Court of International Justice (1).

### 1. — THE CHINESE-BELGIAN DISPUTE

Upon receipt of the Belgian Government's request for the indication, pending delivery of judgment by the Court, of the measures of protection to be taken for the preservation of rights which might ultimately be recognised as belonging to Belgium or her nationals, the President of the Court informed the Parties on December 20th, 1926, that, until further notice, he could not comply with this request since the documents already filed had not satisfied him that the circumstances of the case "required" (Statute, Article 41) the indication of such measures.

However, having received, on January 4th, 1927, the Case filed by the Belgian Government in this suit and also, amongst other documents, annexed to this case, the report of the Commission on Extra-Territoriality in China instituted by the Washington Conference of 1921-1922, the President, on January 8th, made an Order indicating measures of protection.

In accordance with this Order, the aim of the measures indicated in this case is to prevent the prejudice of any rights guaranteed to Belgians by the Chinese-Belgian Treaty of 1865, in addition to those resulting from non-treaty law, in so far as the violation of such rights could not be made good by compensation in some material form: the two countries involved in the dispute have indeed accepted the Court's jurisdiction as compulsory in all or any of the classes of legal disputes mentioned in Article 36 of its Statute including disputes concerning the reparation to be made for the breach of an international obligation.

In these circumstances, the President has confined himself to indicating measures of protection designed to safeguard Belgians from any personal violence or duress, and as regards their property, from any action calculated to involve direct damage, since compensation cannot with certainty be awarded by an international court for damages belonging to this category. Lastly, with regard to judicial safeguards, the President has indicated that, should Belgians be concerned in legal proceedings pending before Chinese authorities, such proceedings are only to be heard before the modern courts and in accordance with the modern codes recently drawn up in China.

The Order in question was immediately communicated to the two Parties and to the Council of the League of Nations in accordance with the Statute.

(1) Article compiled on the basis of information furnished by the Registrar of the Permanent Court.

Some days later, the Agent of the Belgian Government before the Court in this Case informed the Registrar that the Belgian Government and the Chinese Government had by mutual agreement decided to reopen negotiations with a view to the conclusion of a treaty which would supersede that of 1865. In order to facilitate these negotiations and to meet the wish expressed by the Chinese Government, the Belgian Government would be glad if, by application of Article 33 of the Rules of Court, the time allowed to the Chinese Government for the filing of its Counter-Case could be extended. On January 20th, the Acting President, in compliance with this request, fixed May 25th, 1927, as the date of expiration of this time which originally expired on March 16th next; the remaining time-limits were also extended by ten weeks. The Case will, nevertheless, be ready for hearing by the Court at its next ordinary session which opens on June 15th.

In the communication by which this decision was conveyed to the two Governments concerned, their attention was drawn to the fact that it involves a corresponding extension of the period during which the measures of protection indicated in the President's Order of January 8th will be applicable.

## 2. — THE "LOTUS" CASE

On January 4th, the Minister for France and the Chargé d'Affaires of Turkey at The Hague filed with the Registry of the Permanent Court of International Justice the Special Agreement, signed on October 12th last, between the Government of the French Republic and the Government of the Turkish Republic, for the submission to the Permanent Court of International Justice of the question of jurisdiction having arisen between them as a result of the collision, on August 2nd, 1926, of the steamers "Boz-Kourt" and "Lotus".

In the case now before it the Court will have to give judgment on the two following points :

1) Has Turkey, contrary to Article 15 of the Convention of Lausanne of July 24th, 1923, respecting conditions of residence and business and jurisdiction, acted in conflict with the principles of international law, and if so, what principles—by instituting, following the collision which occurred on August 2nd, 1926, on the high seas between the French steamer "Lotus" and the Turkish steamer "Boz-Kourt" and upon the arrival of the French steamer at Constantinople— as well as against the Captain of the Turkish steamship—joint criminal proceedings in pursuance of Turkish law against M. Desmons, officer of the watch on board the "Lotus" at the time of the collision, in consequence of the loss of the "Boz-Kourt" having involved the death of eight Turkish sailors and passengers?

2) Should the reply be in the affirmative, what pecuniary reparation is due to M. Desmons provided, according to the principles of international law, reparation should be made in similar cases?

Notices of the Special Agreement have been made in conformity with the rules in force. In accordance with the obligation imposed on it by the Statute, whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar has notified the Special Agreement to the States, other than France and Turkey, which have ratified the Convention signed at Lausanne and mentioned above.

The time-limits for the written procedure have been fixed so as to enable the Court to deal with the affair at its next ordinary session, that is to say, in June next. On this occasion, a Turkish national judge, designated by the Turkish Government, namely, Fetzi-Daim Bey, First President of the Civil Court of Stamboul, will, in accordance with the Court Statute, sit with the ordinary members.

The French case will be presented by Professor Basdevant, whilst His Excellency Mahoud Essat Bey, Minister of Justice of the Turkish Government, will act as agent for that Government.

### 3. — ACCEPTANCE OF THE OPTIONAL CLAUSE REGARDING THE COURT'S JURISDICTION

The acceptance by Austria of the compulsory jurisdiction of the Court was renewed for a period of ten years on January 12th, 1927. The declaration, which will take effect as from the date of the filing of the instrument of ratification is as follows :

On behalf of the Republic of Austria and subject to ratification, the undersigned hereby recognizes as compulsory, ipso facto and without any special convention, in relation to any other Member of the League of Nations or State accepting the same obligation, that is to say on condition of reciprocity, the jurisdiction of the Court, purely and simply, for a further period of ten years from the date of deposit of the instrument of ratification.

Geneva, January 12th, 1927.

Emerich PFLÜGL.

### 4. — TREATIES OF CONCILIATION, ARBITRATION AND JUDICIAL SETTLEMENT CONCLUDED BY SWITZERLAND

The Swiss Minister at the Hague has informed the Registry of the Court of the entry into force of the following treaties :

- 1) The treaty of conciliation and arbitration between Switzerland and Poland dated March 7th, 1925, came into effect on July 11th, 1926.
- 2) The treaty of conciliation concluded between Switzerland and Norway on August 21st, 1925, came into effect on July 8th, 1926.

Furthermore, the Swiss Legation at the Hague has communicated to the Registry, for information, the text of the message by which the Swiss Federal Council recommended the Federal Assembly to approve the treaty of conciliation and judicial settlement concluded on April 20th, 1926, between Switzerland and Spain.

### III. — Organisation of the exercise of the Council's Right of Investigation <sup>(1)</sup>.

The Netherlands Government has informed the Secretary-General that it has nominated Colonel W. J. C. Schuurman to the post of President of the Commission of Investigation in Bulgaria.

### IV. — Legal and Constitutional Questions.

#### INTERNATIONAL ENGAGEMENTS

##### a) Registration. †

Among the treaties registered in January figured a Treaty of Friendship concluded between Chili and Turkey (Rome, January 30th, 1926). It was registered at the request of the Chilian Government.

(1) See *Monthly Summary*, Vol. VI, No. 12, p. 296.

b) *Adhesions, Ratifications, etc.*

The Swiss Government deposited with the League in January its instrument of ratification of the Convention for the Simplification of Customs Formalities (Geneva, November 3rd, 1923).

The British Government acceded, on behalf of the Protectorate of Uganda, to the Conventions on the Development of Hydraulic Power affecting more than one State and the Transmission in Transit of Electric Power.

The Austrian Government deposited its instrument of ratification of the Conventions on the Development of Hydraulic Power affecting more than one State, the Transmission in Transit of Electric Power, and the International Regime of Railways. It acceded to the Convention on the International Regime of Maritime Ports.

## V. — Technical Organisations.

### 1. — THE HEALTH ORGANISATION

#### a) *Special Influenza Bulletin.*

In view of the spread of influenza in various countries, and requests for information from European and oversea Health Administrations (Australia, the United States, etc.), the Epidemiological Intelligence Service has undertaken to publish a special bulletin on the prevalence and character of the present epidemic.

The Health Administrations of the various countries have been telegraphically invited to communicate to the League Health Section all the necessary information for the preparation of the bulletin, which has been published twice a week since January 11th.

The Health Section also issues a wireless communiqué, which the Trans-Ocean Wireless Service has consented to broadcast from the Nauen Station. The broadcasting takes place in English at 12.20 and 11 p. m. (Central European time), on a wave-length of 18,000 metres. The first communiqué was broadcast on January 15th.

The January bulletins published information from Austria, Germany, Belgium, Denmark, France, Great Britain, Italy, Norway, Sweden, Switzerland, Czechoslovakia, Bulgaria, Egypt, Estonia, Finland, Greece, Hungary, Japan, Latvia, Netherlands, Poland, Portugal, Roumania, the Kingdom of the Serbs, Croats and Slovenes, Spain, United States, India, Irish Free State, Lithuania and the Union of Socialist Soviet Republics.

#### b) *International Continuation Course in Public Health.*

The International Continuation Course in Public Health organised by the Paris Institute of Hygiene by arrangement with the Health Organisation, in response to requests from several Public Health Administrations, was opened at Paris on January 17th, 1927.

This course, which represents a new type of interchange, is divided into two periods of six weeks each. The first includes a course of lectures by public health and medical experts from various countries and a series of visits to public health institutions in and near Paris. The purpose of these lectures is to review the recent progress in the different sciences underlying public health, particularly physiology, bio-chemistry, immunology and biometrics. The course also includes a series of lectures on those aspects of public health administration which are of particular

importance at the present time, such as public health nursing, school hygiene, hospital and dispensary administration, and health insurance.

The second period is devoted to the practical study—in countries selected by the participants—of health institutions providing the most useful experience for the exercise of their calling.

This course is attended by medical officers of the Health Administrations of Bulgaria, Czechoslovakia, Estonia, Greece, Hungary, Latvia, Lithuania, Luxemburg, Paraguay, Poland, Roumania, the Serb-Croat-Slovene Kingdom and the Union of Soviet Socialist Republics.

c) *Conference of Health Experts on Infant Welfare* (1).

The second session of the Conference of Health Experts on Infant Welfare convened by the Health Organisation was held in Paris from January 17th to January 20th. It was attended by the following experts :

Dame Janet CAMPBELL. . . . .	(Great Britain)
Dr. TALIAFERRO CLARK. . . . .	(United States of America)
Professor A. COLLETT. . . . .	(Norway)
Professor R. DÉBRÉ . . . . .	(France)
Professor E. GORTER. . . . .	(The Nether'ands)
Professor E. NOBEL . . . . .	(Austria)
Professor E. ROTT. . . . .	(Germany)

The Conference examined the results of preliminary enquiries made by its members with a view to investigating infant mortality in the various countries, and made specific recommendations as to the methods and scope of the proposed enquiry.

It was decided to begin the study of the medical, public health and social causes of all infant deaths and dead births in two rural and two urban districts of Austria, France, Germany, Great Britain, the Netherlands, and Norway. The enquiry in each district will bear upon a period of twelve months, beginning early in 1927.

The decisions of the Conference of Health Experts in Infant Welfare will be submitted for approval to the Health Committee in February 1927.

2. — THE ECONOMIC AND FINANCIAL ORGANISATION

a) *Execution of Arbitral awards pronounced abroad.*

A Committee of legal experts convened by the Council met at Geneva from January 27th to January 29th to consider the possibility of framing a draft international agreement for the execution of arbitral awards made abroad. This agreement would complete the Protocol of 1923 concerning arbitration clauses in commercial contracts (2).

Under the terms of the Protocol, which has been signed by twenty-seven States and ratified by twelve, the Contracting Parties undertake to recognise the validity of arbitration agreements, but only to ensure the execution of arbitral awards if these have been pronounced in their own territory. In many countries long and costly proceedings are essential for the carrying out of an award given in the territory of another Contracting Party, just as in the territory of any other foreign State.

(1) See *Monthly Summary*, Vol. VI, No. 10, p. 250.  
(2) See *Monthly Summary*, Vol. VI, No. 9, p. 208.

The Economic Committee, therefore, extended the field of its investigation and considered the possibility of taking fresh international action for the purpose of providing for the execution of arbitral awards made abroad.

The first meeting of the Committee enabled experts of seven different countries to have a general discussion on all aspects of the question. They came to the conclusion that the number and complexity of the problems raised would make it necessary for them to hold a further session.

In the interval between the two sessions, each of the members of the Committee will draw up, either on the problem as a whole or on special points arising out of the preliminary discussion, proposals which will serve as a basis of discussion for the next session.

The meeting was attended by the following experts : M. Basdevant, Professor of Law, Paris; Professor Dionisio Anzilotti, Professor of International Law at Rome University, Judge of the Permanent Court of International Justice; Professor Vaclav Hora, Professor at Prague University; Dr. Volkmar, Ministerial Adviser at the Ministry of Justice, Berlin; Dr. Gustav Walker, President of the *Cour de Compensation*, Professor at Vienna University; Mr. Benjamin H. Conner, Barrister and President of the American Chamber of Commerce in France; Mr. H. Claughton Scott, K. C. M. René Arnaud, represented the International Chamber of Commerce.

#### b) *Double Taxation and Tax Evasion.*

The Committee of Experts on Double Taxation and Tax Evasion met at Geneva from January 5th to January 12th. The meeting was attended by the following members (mostly senior officials of the fiscal administration of their countries) :

M. Takashi Aoki (Japanese), M. Hans Blau (Swiss), Dr. Gino Bolaffi (Italian—replacing M. d'Aroma), M. Borduge (French), M. Clavier (Belgian), M. Sinninghe Damste (Netherlands), Dr. Dorn (German), Dr. Salvador Oria (Argentine), Sir Percy Thompson (British), Dr. van der Waals (Dutch East Indies), Professor Stefan Zaleski (Polish).

The International Chamber of Commerce sent a delegation composed of M. Robert Julliard and M. Jean Duchenois to follow the work of the Committee.

The Committee examined on first reading three draft international conventions, prepared by its sub-committees, concerning : a) double taxation, b) administrative assistance in matters of taxation, c) judicial assistance in the collection of taxes. It requested two sub-committees (1) to prepare a preliminary draft convention for the prevention of double taxation in the matter of succession duties, and (2) to examine the desirability of establishing a permanent international organisation for questions of taxation.

At its next session, which will take place in April, the Committee hopes to be able to complete the drafting of these four conventions and to embody its detailed observations in a general report. It also hopes to formulate at the same time definite proposals as to the action to be taken as the outcome of its work, with special reference to the possibility of setting up a permanent organisation.

### 3. — COMMUNICATIONS AND TRANSIT

#### *Identity Documents for Persons Without Nationality.*

The Committee of Experts appointed to study the question of identity documents for persons without nationality met at Geneva from January 12th to January 13th.

This Committee was set up to give effect to a recommendation of the Passport Conference of May 1926, based on a proposal of the German Government. The Conference considered it desirable that certain facilities for travelling should be

granted to persons without nationality and requested the League to prepare, with the assistance of experts of the States most nearly concerned, a draft arrangement based upon the principle of the introduction of an internationally recognised identity document.

The Committee recognised, in the first place, that the identity document in question, being designed to facilitate travelling, would in reality be a passport. In the second place, having examined the question of the persons to whom such a passport might be issued, it came to the conclusion that the problem would have to be dealt with not only in its bearing upon persons without nationality, but also from the point of view of persons of doubtful nationality.

Far from contemplating the introduction of an international system of protection, the Committee considered that its sole object should be to agree upon a travelling document that might be issued and accepted by the greatest possible number of countries. To this end, it adopted Draft Recommendation and a Draft Arrangement providing for the establishment of a passport for persons not in possession of a national one. Both documents will be submitted at the next Session of the Committee for Communications and Transit.

The Draft Arrangement does not in any way affect laws and regulations governing conditions of residence and establishment in the territories of the various countries. It provides for the adoption by the High Contracting Parties of a uniform type of passport, to be issued by the authorities of the country of residence to persons, without a national passport, in particular, to persons without nationality, to persons of doubtful nationality, and to those who, although in possession of a nationality, are unable to obtain a national passport, or have reasons, recognised as valid by the authorities of their country of residence, for not applying for such passport.

The passport proposed by the Committee would, certain special features excepted, be on the same lines as the international type recommended by the May Conference. It would mention the return journey, be valid for one year with possibility of prolongation, and be good for all countries or for groups including as many countries as possible.

The meeting was attended by the following Members :

- M. A. POLITIS, Technical Adviser to the Greek Legation in Paris, Member of the Committee for Communications and Transit (Chairman);
- M. H. REINHARDT, Former Ministerial Adviser, Member of the Committee for Communications and Transit (Austria);
- M. L. DE GOMORY-LAIML, Councillor in the Hungarian Foreign Ministry;
- M. J. KRAUSE, Councillor in the German Ministry of Home Affairs;
- M. J. MALHOMME, Chief of Division in the Consular Department of the Polish Foreign Ministry;
- M. DE NAVAILLES, Assistant-Director in the French Foreign Ministry;
- M. Stan EMANOIL, Assistant-Director of the Roumanian Police.

#### 4. — INTELLECTUAL COOPERATION

##### *Meeting of Museum Representatives.*

A Committee of Museum Representatives met at Geneva on January 14th and 15th to draw up proposals for the organisation and programme of the International Museum Office, which the League has decided to found in connection with the International Institute of Intellectual Cooperation.

The chair was taken by M. Jules Destrée (Belgian) Chairman of the Subcommittee for Arts and Letters. There were also present :



M. Baud-Bovy, President of the Commission fédérale des Beaux-Arts (Switzerland).

- M. Capart, Chief Curator of the Musée du Cinquenaire, Brussels.
- M. Friedlaender, Director of the Prints Collection, Berlin (Kupferstich-Kabinett im Neuen Museum);
- M. Guiffrey, Curator of Paintings at the Louvre, Paris;
- M. Rossi, Inspector-General of Fine Arts, Italy;
- M. Sotomayor, Director of the Prado Museum, Madrid;
- M. Verne, Director of the National Museums of France.

The Director of the British Museum and the Director of the National Museum of Antiquities in Bucarest, who had also been invited, were unable to attend the meeting. The Institute of Intellectual Co-operation was represented by Mlle. Maillard, of the Art Section.

The Committee took note of the work of the Committee of Representatives of Chalcographical Institutes which met in Geneva last October and reached an agreement with regard to the exchange and sale of prints produced by the chalcographical Institutes and the organisation of joint exhibitions of such prints. The Institutes concerned have made arrangements for the first joint exhibitions to open on April 15th in Rome, Paris and Madrid. Other exhibitions will follow, and it is expected that one of them will be held at Geneva in September.

The Committee considered that an agreement of a similar kind might be concluded by museums possessing cast-workshops. In this connection, it proceeded to an exchange of views with regard to the questions to be studied by the International Museum Office.

The question of catalogues was also examined. The Committee invited the Office to study the possibility of compiling Museum catalogues on the lines of guides, summary catalogues and scientific catalogues, and to examine whether it would be possible for catalogues of public sales of works of art to be compiled on certain lines which would increase their value from the point of view of the history of art.

The Committee recommended that the Office should draw up a catalogue of dismembered works of art (*i.e.* parts of which may be found in different museums) and publish certain museographical data on arts and archeology (architecture and internal organisation of museums).

It considered that the work of the Office should also bear upon the exchange between museums of information and documents, the deposit of works of art and mutual assistance between museums.

The question of summoning a meeting of experts to examine means of developing the educational role of museums was also examined. The Committee considered that, if possible, the meeting should be attended by an American expert who could explain the results obtained in his country, where steps in this direction had been taken earlier than in Europe.

## VI. — Administrative Questions.

### TWENTY-EIGHTH REPORT OF THE SAAR GOVERNING COMMISSION

• The Governing Commission of the Saar Territory has addressed to the Secretary-General its twenty-eighth quarterly report, which describes the situation in the Territory and the administrative work of the Commission during the last three months of 1926.

The principal passages may be summarised as follows :

1) ECONOMIC AND SOCIAL SITUATION. — The report contains statistical tables giving a definite idea of the economic and social situation in the Territory. Although

the returns shown are favourable, the Commission feels some apprehension, owing to the fact that the rapid appreciation of the franc has to some extent destroyed the balance between the economic conditions and the export necessities of the Territory.

The Commission has done all in its power to bring about a fall in the price of absolutely necessary articles of consumption.

2) **POLITICAL SITUATION.** — Eight draft decrees were examined at the autumn session of the Advisory Council. The term of office of the members of that body and of the members of the Technical Council were renewed for one year by the Governing Commission.

3) **ADMINISTRATION.** — The administrative work of the Commission shows the following main features :

a) *Special grants to officials.* — On this subject negotiations took place at Treves, towards the end of November 1926, between representatives of the German Government and of the Governing Commission. A decision was reached to the effect (1) that the Governing Commission should grant all officials in its service one extraordinary subsidy of 740 to 1840 francs, (2) that the German Government should refund to the Commission the sums distributed among German officials in the service of the latter. It was further agreed that the Commission might reduce its payments to the Pension Fund by one third of the sum specified above, the reduction applying exclusively to payments in respect of German officials in its service.

This special subsidy is granted to all Saar officials in order to put an end, once and for all, to the various claims made against the German Government and the Governing Commission.

b) *Customs questions.* — The Governing Commission has taken steps to facilitate the settlement of some rather complicated questions which have arisen between the Saar inhabitants and the French Customs Administration. One of these, the import duty on luxury wares, will shortly be solved by legislative measures. Under the new regulations, goods subject to the luxury tax under French law enter the Saar Territory duty free (except for the turnover tax), unless subject to the luxury tax under Saar law.

On November 10th, 1926, the French and German Governments concluded an arrangement adapting the Saar Customs régime to the situation created by the signature of the Steel Trust. This arrangement provides the Saar finishing industry with certain facilities as regards the duty-free export of its products to Germany in exchange for the duty-free import into the Saar Territory of certain products and machines.

c) *Mortgages on a gold basis.* — To comply with a desire expressed by Saar economic circles, the Governing Commission, on the recommendation of the Advisory Council, has prepared a decree authorising the registration of mortgages and their establishment on a gold basis. It is expected that this measure will exercise a favourable influence upon the estate market and the building industry.

d) *Labour Questions.* — During the last quarter, conflicts regarding wages resulted in seven strikes, involving 1304 workers.

The number of unemployed had increased to 2,297 by the end of December.

e) *Education.* — The Governing Commission has founded seven scholarships to enable teachers to attend the course of lectures on international questions, organised by Professor Zimmern at Geneva. It has also published, for teachers, a general pamphlet on the work of the League, its history, the principles on which it is based, and suitable methods of instruction in these subjects in public schools. This pam-

phlet has been distributed to all teachers; together with a circular recommending them to give instruction to children on the existence and principles of the League and, in general, to keep these matters in mind in their work of education.

f) *Public Assistance.* — The Welfare Department has distributed to war-disabled without means of subsistence 636,000 francs over and above their regular pensions and subsidies. The Governing Commission has granted all war victims a sum to compensate the fluctuations in exchange which took place at the moment of the payment of their pensions. A sum of 3,440,000 francs, voted for this purpose, was almost entirely distributed in December.

g) *Food Inspection.* — The Food Inspection Office opened in October, 1926, has to discharge the following duties : the inspection of imported milk, fat and butter; the bacteriological, serological, histological and chemical examination of these foodstuffs; the inspection of the markets, shops and premises of industrial and commercial enterprises manufacturing or selling foodstuffs of any kind.

h) *Agriculture.* — Notwithstanding the abundant rainfall of the last three months, it was possible duly to terminate the harvest labours and autumn sowing. As regard crops, bread cereals, fruit and potatoes were not as abundant as had been expected. Sugar beets and vegetables were satisfactory.

## VII. — Political Questions.

### COMMUNICATION FROM THE PRESIDENT OF THE STRAITS COMMISSION

The President of the Straits Commission has addressed to the Secretary-General a memorandum received from the Government of the Union of Socialist Soviet Republics on the composition of its naval forces in the Black Sea. He states that the memorandum does not contain information regarding reserve naval forces or naval aircraft.

The Secretary General, in accordance with the decision of the Council of September 10th, 1925, has forwarded this note to States Members of the League, the United States, the Union of Socialist Soviet Republics and Turkey.

\* \* \*

Under Article 15 of the Straits Convention annexed to the Lausanne Convention, the Straits Commission carries out its functions under the auspices of the League, to which it reports annually, furnishing all information which may be useful in the interests of commerce and navigation. Article 2 of the same Convention stipulates that the Commission shall furnish certain information with regard to naval forces and naval aircraft in the Black Sea.

## VIII. — Social and Humanitarian Questions.

### TRAFFIC IN OPIUM

#### *Ninth Session of the Advisory Committee.*

The ninth session of the Advisory Committee on Traffic on Opium and other Dangerous Drugs opened on January 17th at Geneva. The agenda included the consideration of the annual reports of Governments on measures taken to

combat the abuse of drugs and the practical results of such measures; the examination of the position with regard to the ratification of the Opium Agreement and Convention of 1925; and a study of the question of illicit traffic in free ports and zones.

The Committee elected as Chairman Sir John Campbell (India) and re-elected as Vice-Chairman Dr. Carrière (Switzerland).

There were further present :

*Members :*

Dr. Anselmino (Germany), Dr. Cuellar (Bolivia), Sir Malcolm Delevingne (Great Britain), M. Stefano Cavazzoni (Italy), M. Naotake Sato (Japan), M. W. G. van Wettum (Netherlands), M. Ferreira (Portugal), M. Constantin Fotitch (Serb-Croat-Slovene Kingdom), Prince Charoon (Siam).

*Observer :*

Mr. Stanley Woodward (United States).

*Assessor :*

M. Henri Brenier.

The Committee decided that its meetings should be public. A full account of the session will be given in the February number of the *Monthly Summary*.

## IX. — Miscellaneous Questions.

### COMMITTEE OF PRESS EXPERTS

#### *Meeting of Journalists.*

A meeting of journalists, dealing with international affairs, and obliged by their profession to travel frequently or to live abroad, took place at Geneva from January 24th to 26th.

The journalists attending the meeting had been selected from the members of the International Association of Journalists Accredited to the League of Nations, the object of the meeting being to enable the Secretary-General to obtain information with regard to the technical problems interesting this category of journalists.

At the end of the meeting the journalists drew up a report embodying recommendations and suggestions concerning the exercise of their calling in foreign parts and the facilities they considered it necessary to obtain in order to carry out their task.

This report will be communicated to the foreign press associations for their observations and will then be forwarded, together with the comments received, to the Committee of Press Experts to be convened later.

The journalists attending the meeting were M. Bernhard (German), chairman; M. Caprin (Italian), M. Chrzanowski (Polish), M. de Franch (Spanish), Mr. Chalinor James (British), M. Jullien (French), M. Roigt (Argentine), and Mr. P. Scott Mowrer (American).

## X. — Forthcoming Events.

February 21st : Meeting of the Committee of Experts on Budgets of National Defence, Paris.

- February 21st : Meeting of the Special Committee on the Jurisdiction of the European Commission of the Danube, Geneva.
- February 21st : Interchange of Public Health Officers, London.
- February 24th : Meeting of the Legal Committee of the Transit Organisation, Geneva.
- February 25th : Meeting of the Permanent Committee on Inland Navigation, Geneva.
- February 25th : Meeting of the Economic Committee, Rome.
- February 28th : Meeting of the Advisory and Technical Committee for Communications and Transit, Geneva.
- February 28th : Meeting of the Committee on the Establishment of a Centre of Documentation (Transit Organisation), Geneva.
- March 2nd : Meeting of the Financial Committee, Geneva.
- March 7th : Forty-Fourth Session of the Council, Geneva.
- March 14th : Meeting of the Council Committee on Disarmament, Geneva.
- March 14th : Meeting of the Special Commission on the Private Manufacture of Arms, Geneva.
- March 14th : Meeting of the Committee of Statistical Experts to consider proposals for the revision of the International List of Causes of Death, Geneva.
- March 16th : Meeting of Sub-Commission B of the Preparatory Commission for the Disarmament Conference, Geneva.
- March 21st : Meeting of the Preparatory Commission for the Disarmament Conference, Geneva.
- March 22nd : Meeting of the Committee of Experts for the Progressive Codification of International Law, Geneva.
- March 25th : Final Conference of the British Interchange of Public Health Officers, Geneva.
- March 28th : Meeting of the Committee of Jurists on the Enforcement of Arbitral Awards, Geneva.

## XI. — League Organisations and Commissions

### LIST OF MEMBERS

#### THE ASSEMBLY

(Consists of not more than three representatives of each State Member of the League.)

#### THE COUNCIL

(Consists of the representatives of the British Empire, France, Germany, Italy and Japan, who are permanent members, and those of nine other States elected by the Assembly as laid down in the new "Rules dealing with the election of the nine non-permanent Members of the Council", their term of office, and the conditions of re-eligibility" (1).

#### *Membership in 1927.*

Belgium . . . . .	M. VANDERVELDE
British Empire . . . . .	Sir Austen CHAMBERLAIN
Chile . . . . .	M. VILLEGAS
China . . . . .	M. CHAO-HSIN-CHU
Colombia . . . . .	M. URRUTIA

(1) See *Monthly Summary*, Vol. VI, No. 9, p. 232.

Czechoslovakia . . . . .	M. BENES
France . . . . .	M. BRIAND
Germany . . . . .	M. STRESEMANN
Italy . . . . .	M. SCIALOJA
Japan . . . . .	Viscount ISHII
Netherlands . . . . .	M. VAN KARNEBEEK
Poland . . . . .	M. ZALESKI
Roumania . . . . .	M. TITULESCO
Salvador . . . . .	M. GUERRERO

*Secretariat of the Council and the Assembly.*

*Secretary-General* : Sir James Eric DRUMMOND.

(“The Secretary-General shall act in that capacity at all meetings of the Assembly and the Council”. Art. 6 of the Covenant.)

THE PERMANENT COURT OF INTERNATIONAL JUSTICE

(The Judges are elected by the Assembly and the Council for a period of nine years. The President and the Vice-President are elected by the Court for a term of three years.)

*Judges :*

M. HUBER (President) . . . . .	(Swiss)
M. LODER (former President) . . . . .	(Dutch)
M. WEISS (Vice-President) . . . . .	(French)
Lord FINLAY . . . . .	(British)
M. NYHOLM . . . . .	(Danish)
Mr. MOORE . . . . .	(American)
M. DE BUSTAMANTE . . . . .	(Cuban)
M. ALTAMIRA . . . . .	(Spanish)
M. ODA . . . . .	(Japanese)
M. ANZILOTTI . . . . .	(Italian)
M. Epitacio DA SILVA PESSOA . . . . .	(Brazilian)

*Deputy-Judges :*

M. YOVANOVITCH . . . . .	(Serbian)
M. BEICHMANN . . . . .	(Norwegian)
M. NEGULESCO . . . . .	(Roumanian)
M. WANG CHUNG HUI . . . . .	(Chinese)

*Registrar :*

M. HAMMARSKJÖLD . . . . .	(Swedish)
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*Deputy-Registrar :*

M. RUEGGER . . . . .	(Swiss)
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COMMITTEE OF EXPERTS FOR THE PROGRESSIVE  
CODIFICATION OF INTERNATIONAL LAW

(Constituted in accordance with a resolution of the Fifth Assembly. The members are appointed by the Council.)

- M. HAMMARSKJÖLD (Chairman), Governor of Upsala (Sweden);
- Professor DIENA (Vice-Chairman), professor of international law at the University of Pavia (Italy);

- Professor BRIERLY, professor of international law at the University of Oxford (Great Britain);
- M. FROMAGEOT, Legal Adviser to the French Ministry for Foreign Affairs (France);
- Dr. Gustave GUERRERO, Minister of Salvador in Paris (Salvador);
- Dr. Bernard C. J. LODER, former member of the Supreme Court of the Netherlands; judge and former President of the Permanent Court of International Justice (Netherlands);
- Dr. BARBOZA DE MAGALHAES, professor of law at the University of Lisbon, former Minister of Foreign Affairs, Justice and Education (Portugal);
- Dr. Adalbert MASTNY, Minister of Czechoslovakia in Rome, President of the Czechoslovak branch of the International Law Association (Czechoslovakia);
- M. MATSUDA, Doctor of Law, Minister of Japan in Rome (Japan);
- M. Simon RUNDSTEIN, Barrister, former Legal Adviser to the Ministry for Foreign Affairs, founder of the Polish Association of International Law (Poland);
- Professor Walter SCHÜCKING, professor of law at the Higher School of Commercial Science, Berlin (Germany);
- Dr. José Leon SUAREZ, Dean of the Faculty of Political Sciences of the University of Buenos Aires (Argentine);
- Professor Charles DE VISSCHER, professor of law at the University of Ghent, legal adviser to the Ministry for Foreign Affairs (Belgium);
- Dr. WANG-CHUNG-HUI, Deputy Judge at the Permanent Court of International Justice (China);
- Mr. George W. WICKERSHAM, former Attorney-General of the United States, member of the Committee of International Law of the American Bar Association, President of the American Law Institute (United States);
- M. Cristobal BOTELLA, former professor of the Faculty of Law at the University of Madrid, President of the Franco-German Mixed Arbitral Tribunal and Legal Adviser to the French Embassy in Paris (Spain);
- Sir Muhamed RAFIQUE, expert in Moslem Law (India).

### THE PERMANENT ADVISORY COMMISSION ON NAVAL MILITARY AND AIR QUESTIONS

(Constituted by a Council Resolution of May 9th, 1920, pursuant to Article IX of the Covenant. The members are appointed by and are representatives of their Governments. The Presidents of the Military, Naval and Air Sub-Commissions are selected by rotation of the nations represented on the Commission for periods of six months. The President of the Plenary Commission is elected at each session by and from the Presidents of the Sub-Commissions. This list includes a number of the regular members of the different delegations who have frequently taken the place of members of the Commission.)

#### *Members and Assistants.*

Lt.-General Baron DE CEUNINCK . . . . .	(Belgium)
Colonel H. A. C. TEMPERLEY, C.M.G., D.S.O . . .	(British Empire)
Rear-Admiral AUBREY C. H. SMITH, C.B., M.V.O.	(British Empire)
Commander M. A. HAWES . . . . .	(British Empire)
Group Captain W. F. MACNEECE, O.B.E., D.S.O., D.F.C. . . . .	(British Empire)
Squadron-Leader F. P. DON . . . . .	(British Empire)
Brigadier-General M. YAO SIKIOU . . . . .	(China)
Colonel A. BORRERO . . . . .	(Columbia)
General Vladimir KLECANDA . . . . .	(Czechoslovakia)
Lt.-Colonel A. ELIAS . . . . .	(Czechoslovakia)
Colonel Sylvester BLAHA . . . . .	(Czechoslovakia)
Colonel REQUIN . . . . .	(France)
Major LUCIEN . . . . .	(France)
Vice-Admiral JEHENNE . . . . .	(France)

Commander DELEUZE . . . . .	(France)
Lt.-Colonel H. E. MOUCHARD . . . . .	(France)
Lt.-Colonel F. VON BOETTICHER . . . . .	(Germany)
Lt.-Colonel F. DÜMLEIN . . . . .	(Germany)
Rear-Admiral Baron VON FREYBURG EISENBERG.	(Germany)
Commander R. F. GADOW. . . . .	(Germany)
Captain A. BAEUMKER. . . . .	(Germany)
Major M. SCHINDLER. . . . .	(Germany)
Brig.-General DE MARINIS STENDARDO DI RICI-	
GLIANO. . . . .	(Italy)
Vice-Admiral Baron ACTON. . . . .	(Italy)
Commander Don F. RUSPOLI. . . . .	(Italy)
Commander CUGIA DI SANT 'ORSOLA . . . . .	(Italy)
Lt.-Colonel PELLEGRINI . . . . .	(Italy)
Captain GIBERTI . . . . .	(Italy)
Brig.-General SHIODEN. . . . .	(Japan)
Lieut.-Colonel SONOBE. . . . .	(Japan)
Commander SOGAWA. . . . .	(Japan)
Captain T. HORI . . . . .	(Japan)
Lieutenant MYAZAKI. . . . .	(Japan)
General C. VAN TUINEN . . . . .	(Netherlands)
Rear-Admiral H. G. SURIE . . . . .	(Netherlands)
Lieut.-Commander D. VREEDE . . . . .	(Netherlands)
General DUMITRESCO. . . . .	(Roumania)
Colonel L. RADULESCO. . . . .	(Roumania)

*(The Governments of Chile, Poland and Salvador have not yet communicated the names of their representatives.)*

## PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE

*(Constituted in virtue of a Resolution of the Sixth Assembly to direct and coordinate preparatory work for the Disarmament Conference.)*

M. LOUDON (Chairman) . . . . .	(Netherlands)
M. F. PEREZ . . . . .	(Argentine)
M. LOUIS DE BROUCKÈRE . . . . .	(Belgium)
M. D. BOUROFF. . . . .	(Bulgaria)
M. E. VILLEGAS. . . . .	(Chile)
M. CHAO-HSIN-CHU . . . . .	(China)
M. URRUTIA . . . . .	(Colombia)
M. F. VEVERKA. . . . .	(Czechoslovakia)
M. R. HOLSTI. . . . .	(Finland)
M. PAUL-BONCOUR. . . . .	(France)
Count BERNSTORFF . . . . .	(Germany)
Viscount CECIL OF CHELWOOD . . . . .	(Great Britain)
General DE MARINIS. . . . .	(Italy)
M. N. SATO. . . . .	(Japan)
M. MARKOVITCH. . . . .	Kingdom of the Serbs, Croats and Slovenes
Le Jonkheer LOUDON . . . . .	(Netherlands)
M. DEBSKI . . . . .	(Poland)
M. P. COMNÈNE. . . . .	(Roumania)
M. GUERRERO. . . . .	(Salvador)
M. COBIAN . . . . .	(Spain)
M. HENNINGS. . . . .	(Sweden)
Hon. Hugh S. GIBSON. . . . .	United States of Ame- rica)



*Joint Commission.*

*Chairman* : M. F. VEVERKA.

*Experts of the Economic Committee :*

Mr. J. J. WILLS  
(replacing Sir Hubert LLEWELLYN SMITH).  
M. J. BARBOZA CARNEIRO.

*Experts of the Financial Committee :*

M. F. MAURO  
(replacing M. BIANCHINI).  
M. POSPISIL.

*Experts of the Transit Committee :*

M. KRÖLLER.  
M. SCHOB.

*Workers' Group of the Governing Body : of the International Labour Office :*

M. JOUHAUX.  
M. OUDEGEEST.

*Employers' Group of the Governing Body of the International Labour Office :*

M. VANEK  
(replacing M. HODAC).  
M. OERSTED.

*Experts appointed under the Council resolution of March 18th, 1926 <sup>(1)</sup>.*

S. E. M. SATO . . . . . (Japan)  
M. VON MOELLENDORFF . . . . . (Germany)

**ECONOMIC AND FINANCIAL COMMISSION**

(Appointed by the Council, in accordance with a recommendation of the Brussels Financial Conference, 1926.)

M. Gustave ADOR, Chairman of the Commission (Swiss)

*I. Financial Committee.*

M. POSPISIL, Governor of the Czechoslovak National Bank (Chairman) . . . . . (Czechoslovak)  
M. L. DUBOIS, President of the Swiss Banking Corporation. . . . . (Swiss)  
Comm. BIANCHINI, Director-General of the Italian Bank Association . . . . . (Italian)  
Sir O. E. NIEMEYER, K. C. B., Controller of Finance, British Treasury . . . . . (British)  
M. FIGUERAS, Director of the Bank of Bilbao . . . . . (Spanish)  
M. JANSSEN, former Financial Minister. . . . . (Belgian)  
M. MELCHIOR, Director of Warburg's Bank, Hamburg . . . . . (German)

(1) See *Monthly Summary*, Vol. VI, No. 3, p. 54.

- M. C. E. TER MEULEN. . . . . (Dutch)  
M. J. PARMENTIER, Hon. Director General at the  
French Ministry of Finance. . . . . (French)

*Substitute :*

- Comte DE CHALENDAR, Inspector of Finances.  
M. AOKI, Japanese Financial Delegation, Lon-  
don. . . . . (Japanese)  
Sir Henry STRAKOSCH, K. B. E. . . . . (South African)  
M. Carlos TORNUST . . . . . (Argentine)  
M. Marcus WALLENBERG, Vice-Président of the  
Stockholm Enskilda Bank . . . . . (Swedish)  
Sir Basel BLACKETT, K. C. B. . . . . (India)

*II. The Economic Committee.*

- Professor E. NECULCEA, Chairman . . . . . (Roumanian)  
M. J. BRUNET, Envoy Extraordinary Minister  
Plenipotentiary . . . . . (Belgian)  
M. C. A. B. CAMPION . . . . . (Australian)  
M. J. BARBOZA CARNEIRO, Commercial Attaché  
to the Brazilian Embassy in London. . . . . (Brazilian)  
M. J. DVORACEK, former Minister of Commerce,  
Director of the Zivnostenska Bank at  
Prague. . . . . (Czechoslovak)

*Substitute :*

- Dr. IBL, Councillor of Legation, Czechoslovak  
Foreign Ministry.  
M. Henri HEER, former President of the Swiss  
Cooperative Society for the Promotion of  
Foreign Trade. . . . . (Swiss)  
M. A. JENSEN, Chief of the Department of Sta-  
tistics at the Danish Ministry of Finance. (Danish)  
M. S. MATSUYAMA. . . . . (Japanese)

*Substitute :*

- M. USAMI, Japanese League of Nations Bu-  
reau.  
Dr. PIRELLI. . . . . (Italian)

*Substitute :*

- M. DI NOLA, Director General at the Italian  
Ministry of Commerce.  
Dr. Richard SCHÜLLER, Chief of Section in the  
Austrian Foreign Ministry . . . . . (Austrian)  
M. SERRUYS, Director of Commercial Agreements  
at the French Ministry of Commerce . . . . . (French)  
Sir Hubert LLEWELLYN SMITH, G. C. B., Econo-  
mic Adviser to the British Government. . . . . (British)  
Dr. Ernest TRENDELENBURG, Under Secretary of  
State in the German Ministry of Economics. (German)  
M. A. WIENIAWSKI, President of the Bank of  
Commerce. . . . . (Polish)

## COMMITTEES IN RELATION WITH THE FINANCIAL COMMITTEE

### *Committee of Government Experts on Double Taxation.*

M. ALVAREZ FEO . . . . .	(Venezuelan)
Professor P. D'AROMA, Assistant Director-General of the Direct Taxation Department. . . . .	(Italian)
M. J. BLAU, Director of the Federal Taxation Department. . . . .	(Swiss)
M. BORDUGE, Director-General of Direct Taxa- tion . . . . .	(French)
M. CLAVIER, Director-General of Direct Taxation.	(Belgian)
M. SINNINGHE-DAMSTE, Director-General of Taxes, Customs and Excises . . . . .	(Netherlands).

### *: Substitute for colonial Questions :*

Dr. VAN DER WAALS, Director in the Colonial De- partment . . . . .	(Netherlands)
Dr. H. DORN, Director in the Finance Ministry.	(German)
M. TAKASHI AOKI . . . . .	(Japanese)
M. S. ORIA. . . . .	(Argentine)
Sir Percy THOMPSON, vice-chairman of the Board of Inland Revenue. . . . .	(British)
M. Stefan ZALESKI. . . . .	(Polish)

## SUB-COMMITTEE OF THE ECONOMIC COMMITTEE

### *Sub-Committee for the Equitable Treatment of Commerce.*

Sir Hubert LLEWELLYN SMITH, Chairman. . . . .	(British)
M. BRUNET. . . . .	(Belgian)
M. BARBOZA CARNEIRO . . . . .	(Brazilian)
M. DVORACEK. . . . .	(Czechoslovak)
M. MATSUYAMA . . . . .	(Japanese)
Dr. PIRELLI. . . . .	(Italian)
M. SERRUYS. . . . .	(French)

### *Sub-Committee for the Cooperation of the League of Nations and the International Statistical Institute.*

M. DVORACEK. . . . .	(Czechoslovak)
M. A. JENSEN. . . . .	(Danish)
Professor NECULCEA. . . . .	(Roumanian)
Sir Hubert LLEWELLYN SMITH . . . . .	(British)

### *Mixed Committee on Economic Crises.*

M. HEER (Chairman) . . . . .	(Swiss)	} Members of the Economic Committee.
M. BRUNET . . . . .	(Belgian)	
M. DVORACEK . . . . .	(Czechoslovak)	
Dr. PIRELLI . . . . .	(Italian)	
M. SERRUYS . . . . .	(French)	
Sir Hubert LLEWELLYN SMITH . . . . .	(British)	
M. WIENIAWSKI . . . . .	(Polish)	

M. DUBOIS . . . . .	(Swiss)	} Members of the Financial Committee.
Sir Otto NIEMEYER . . . . .	(British)	
M. JANSSEN . . . . .	(Belgian)	
M. M. LAZARD, Chairman of the French Association for the Suppression of Unemployment . . . . .	(French)	} Experts selected by the International Labour Organisation.
M. E. MAHAIM, Professor at Liege University.	(Belgian)	
M. F. SJOSTRAND, representative of Swedish Government to the International Labour Office . . . . .	(Swedish)	
M. WAGEMANN, Professor at Berlin University.	(German)	

*Sub-Committee on False Customs Declarations.*

M. SERRUYS (President) . . . . .	(France)
Sir Hubert LLEWELLYN SMITH . . . . .	(Great-Britain)
M. DI NOLA . . . . .	(Italy)
M. JENSEN . . . . .	(Denmark)
M. Barboza CARNEIRO . . . . .	(Brazil)
M. BRUNET . . . . .	(Belgium)

*Preparatory Committee on Statistics.*

M. DELATOUR, Director-General, Caisse des Dépôts et Consignations . . . . .	(French)
M. Lucien MARCH, Director of French Statistics.	(French)
Mr. A. W. FLUX, C. B., of the Board of Trade. . . . .	(British)
Dr. B. HANOSEK, Ministry of Agriculture . . . . .	(Czechoslovak)
Dr. JULIN, Secretary-General of the Ministry of Industry and Labour . . . . .	(Belgian)
M. A. JENSEN . . . . .	(Danish)
Professor NECULCEA . . . . .	(Roumanian)
Sir Henry REW . . . . .	(British)
M. SIMIAND . . . . .	(French)
Professor V. STUART, President of the Central Statistical Commission. . . . .	(Dutch)
Professor E. WURZBURGER . . . . .	(German)
Dr. MATAJA . . . . .	(Austrian)
Professor RICCI . . . . .	(Italian)
Dr. METHORST, International Statistical Institute . . . . .	(Dutch)
Mr. A. LOVEDAY, League of Nations. . . . .	(British)
Dr. PRIBRAM, International Labour Office . . . . .	(Austrian)

THE FINANCIAL RECONSTRUCTION OF AUSTRIA

a) *Committee of Control of the Guaranteeing States for the Austrian Loan.*

(Constituted in accordance with the second Reconstruction Protocol, Geneva, October 4th, 1922. The members of the Committee are nominated by their Governments.)

M. Mario ALBERTI, Director of the Credito Italiano, Milan (Chairman) . . . . .	(Italy)
Dr. ROOS, Director of the Zemska Bank, Prague.	(Czechoslovakia)
M. ANDERSEN, of the Danish Ministry of Finance	(Denmark)
M. DE LA HUERTA . . . . .	(Spain)

M. DINICHERT, Minister Plenipotentiary . . . . .	(Switzerland)
M. JANSSEN, former Financial Minister . . . . .	(Belgium)
Count J. G. LAGERBIELKE, Delegate to the Swedish Comptoir de la Dette Publique. . . . .	(Sweden)
Sir O. NIEMEYER . . . . .	(Great Britain)
M. R. J. H. PATIJN, Minister Plenipotentiary Jonkheer W. F. VAN LENNEP, Substitute. . . . .	(Netherlands)
M. SEYDOUX, Minister Plenipotentiary. . . . .	(France).

b) *Trustees for the Loan.*

(Appointed by the Council.)

M. Marcus WALLENBERG . . . . .	(Swedish)
M. JANSSEN . . . . .	(Belgian)
Mr. JAY, of MORGAN, HARJES & C <sup>o</sup> . . . . .	(American)

c) *Member of Financial Committee appointed to administer the balance of the loan.*

M. L. DUBOIS . . . . .	(Swiss)
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*Agent at Vienna.*

M. ROST VAN TONNINGEN . . . . .	(Netherlands)
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THE FINANCIAL RECONSTRUCTION OF HUNGARY

a) *Committee of Control.*

(Appointed by the Reparations Commission.)

M. CAVAZZONI (Chairman) . . . . .	(Italy)
M. G. DJOURITCH (Vice-Chairman) . . . . .	(Serb-Croat-Slovene Kingdom)
Mr. B. A. KEMBALL COOK . . . . .	(Great Britain)
M. BOUNIOLS . . . . .	(France)
M. E. NECULCEA . . . . .	(Roumania)
Dr. V. POSPISIL . . . . .	(Czechoslovakia)

b) *Trustees for the Loan.*

(Appointed by the Council.)

M. BIANCHINI . . . . .	(Italian)
Sir Henry STRAKOSCH . . . . .	(South African)
M. C. E. TER MEULEN . . . . .	(Dutch)

c) *Member of Financial Committee administering the loan balance.*

M. TER MEULEN . . . . .	(Netherlands)
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*Agent at Vienna.*

Mr. R. TYLER . . . . .	(American)
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## GREEK REFUGEES SETTLEMENT COMMISSION

(Constituted under the Greek Refugees Protocol, Geneva, September 29th, 1923. The members are nominated by the Council of the League.)

Mr. Charles EDDY (Chairman) . . . . . (American)  
Sir John Hope SIMPSON (Vice-Chairman). . . . . (British)

## THE DANZIG LOAN

### *Trustee :*

M. TER MEULEN. . . . . (Netherlands)

## SETTLEMENT OF BULGARIAN REFUGEES

### *a) Commissioner of the League of Nations at Sofia.*

(Appointed by the Council.)

M. CHARRON . . . . . (French)

### *b) Trustees for the Loan.*

(Appointed by the Council.)

M. BIANCHINI. . . . . (Italian)  
M. WALLENBERG. . . . . (Swedish)  
Sir Hubert LAWRENCE. . . . . (British)

## PREPARATORY COMMITTEE FOR THE CIRAULO SCHEME

(Appointed by the Council under a Resolution of the Fifth Assembly.)

### *Chairman :*

Senator Giovanni CIRAULO, Deputy Delegate for Italy at the Fifth and Sixth Assemblies, former President of the Italian Red Cross.

### *Chairman of Meetings :*

H. E. M. Fernandez y MEDINA, Uruguayan Minister at Madrid, Rapporteur for the Ciraolo Scheme to the Fifth and Sixth Assemblies.

### *Members :*

M. Georges WERNER, Professor of Law at the University of Geneva, Member of the International Red Cross Committee.  
Colonel Ernest P. BICKNELL, Acting Director-General of the League of Red Cross Societies, Vice-President of the American Red Cross and its representative in Europe during the war (with the right to sit alternatively on the Committee).  
Mr. Algernon MAUDSLAY, C. B. E., Member of the Council of the British Red Cross, Member of the Anglo-Belgian Refugee Commission in 1914.  
M. P. G. LAURIN, Director-General of the Statens Livfrösäkeringanstalt, Stockholm.

Baron CARTON DE WIART, Director of La Société Générale de Belgique, delegate of the Belgian Government to the Commission for Relief in Belgium during the war 1914-1918. Substitute : Senator FRANÇOIS, Treasurer-in-Chief of the Belgian Red Cross.

Lieut-colonel DRAUDT, Vice-President of the German Red Cross.

Senator Maurice SARRAUT, Member of the French delegation to the Fifth Assembly. Substitute : M. René CASSIN, Professor of Law at the University of Lille, substitute member of the French delegation to the Fifth and Sixth Assemblies.

M. André MATER, Advocate at the Court of Appeal, Paris, Technical Adviser to the French Delegation at the Fifth and Sixth Assemblies.

### COMMITTEE ON ALLOCATION OF EXPENSES

(Appointed by the Council in accordance with a decision of the First Assembly, for the purpose of drawing up a definite scheme for the allocation of the expenses of the League.)

M. RÉVEILLAUD, Chairman. . . . .	(French)
M. J. A. BARBOZA CARNEIRO. . . . .	(Brazilian)
Mr. F. PHILLIPS. . . . .	(British)
Signor SOLERI. . . . .	(Italian)
Sir Henry STRAKOSCH . . . . .	(South African)
M. Herluf ZAHLE . . . . .	(Danish)
M. Bogdan MARKOVITCH . . . . .	(Jugoslavian)

### ADVISORY AND TECHNICAL COMMITTEE FOR COMMUNICATIONS AND TRANSIT

(Constituted at the request of the First Assembly by the General Conference on Communications and Transit convened by the League at Barcelona in March 1921. The Committee consists of one member nominated by each of the States Members permanently represented on the Council and of other members nominated by States Members not so represented, chosen by the General Conference, the selection having regard, as far as possible, to technical interest and geographical representation. The members hold office for two years.)

#### *Chairman :*

M. A. DE AGUERO Y BETHANCOURT (appointed by the Government of Cuba). Envoy Extraordinary and Minister Plenipotentiary at Berlin and Vienna.

#### *Vice-Chairmen :*

M. G. POPESCO (appointed by the Government of Roumania). Engineer, Professor at the Polytechnic School, Bucharest.

M. A. STIEVENARD (appointed by the Government of Belgium). Inspector of Belgian Railways.

M. F. AMUNATEGUI (appointed by the Government of Chile). Engineer of Bridges and Roads; Secretary-General of the Mixed Courts of Arbitration.

Mr. J. G. BALDWIN (appointed by the Government of Great Britain). Representative of Great Britain on the International River Commissions.

M. G. BROCKMANN Y ABARZUA (appointed by the Government of Spain). Inspector-General of Roads, Canals and Ports; President of the Council of Public Works.

M. G. DOBKEVICIUS (appointed by the Government of Lithuania). Consulting Engineer; former Councillor of Legation.

M. Silvain DREYFUS (appointed by the Government of France). Vice-President of the General Council of Roads and Bridges and of the High Council of Public Works; member of the Central Commission for Rhine Navigation.

- M. G. GUERRERO (appointed by the Government of Salvador). Envoy Extraordinary and Minister Plenipotentiary in France and Switzerland.
- M. OUANG-HANG (appointed by the Government of China). Railway Engineer. Technical Secretary at the Chinese Legation in Paris.
- M. A. POLITIS (appointed by the Government of Greece). Former director of the Greek railways. Technical Representative of the Greek Government at Paris.
- M. H. REINHARDT (appointed by the Government of Austria). Former Ministerial Councillor.
- M. G. SINIGALIA (appointed by the Government of Italy). Former Chief Inspector of the Italian State Railways; member of the Central Commission for Rhine Navigation.
- M. G. SMITH (appointed by the Government of Norway). Former Director-General of Ports in Norway.
- M. N. SATO (appointed by the Government of Japan). Envoy Extraordinary and Minister Plenipotentiary; Director of the Japanese League of Nations Office at Paris.
- M. F. J. URRUTIA (appointed by the Government of Colombia). Envoy Extraordinary and Minister Plenipotentiary in Switzerland.
- M. B. WINIARSKI (appointed by the Government of Poland). Professor of Law at the University of Poznan.
- One member to be appointed by the German Government.
- One member to be appointed by the Government of Venezuela.

#### A. Permanent Committees.

##### 1. *Permanent Committee for Ports and Maritime Navigation.*

*Chairman* : Sir Norman HILL, Bart.

##### a) *Committee for Ports* :

- M. SMITH (Chairman).
- Mr. BALDWIN.
- M. BROCKMANN.
- M. STIEVENARD.
- M. B. FERNANDEZ Y MEDINA, Envoy Extraordinary and Minister Plenipotentiary of Uruguay in Spain; former Chairman of the Ports Committee of the Second General Conference on Communications and Transit.
- M. G. INGIANNI, Director-General of the Italian Mercantile Marine.
- Dr. LAHR, Ministerial Councillor in the German Ministry of Economics.
- M. P. H. WATIER, Director of Navigable Waterways and Maritime Ports in the French Ministry of Public Works.

##### b) *Committee for Maritime Navigation.*

- M. DE AGUERO Y BETHANCOURT (Chairman).
- M. POPESCO.
- M. SATO.
- Sir Alan ANDERSON, Vice-President of the Chamber of Shipping of the United Kingdom, London.
- M. G. BRETON, Vice-President and Director-General of the "Chargeurs Réunis".
- M. D. BIANCARDI, former Expert Adviser to the Italian Delegation in the Ports Committee of the Second General Conference.
- M. A. G. KRÖLLER, Member of the Council of the Economic Department of the Ministry for Foreign Affairs at The Hague.



II. *Permanent Committee for Inland Navigation.*

- M. Silvain DREYFUS (Chairman).
- M. BALDWIN.
- M. DOBKEVICIUS.
- M. POPESCO.
- H. E. M. ROSSETTI.
- M. REINHARDT.
- M. STIEVENARD.
- M. WINIARSKI.
- M. TSANG-OU, former Chinese delegate to the Barcelona Conference.
- A German Member.

III. *Permanent Committee for Transport by Rail.*

- M. SINIGALIA (Chairman).
- M. AMUNATEGUI.
- M. BROCKMANN.
- M. OUANG-HANG.
- M. POLITIS.
- Sir Francis DENT, former Chairman of the Railways Committee of the Second General Conference on Communications and Transit; ex-Managing-Director of the South Eastern and Chatham Railway.
- M. SCHWOB, Director-General of Railways at the French Ministry of Public Works.
- M. R. HEROLD, Director of the Railway Division of the Federal Department of Posts and Railways at Berne.
- Dr. Otokar LANKAS, Director at the Ministry of Railways at Prague.
- M. P. WOLF, Director of the German State Railways.

IV. *Permanent Committee on Electric Questions.*

- M. DOBKEVICIUS (Chairman).
- M. BROCKMANN.
- M. POLITIS.
- M. P. BIGNAMI, Engineer; former Under-Secretary of State (Italy).
- M. J. CHUARD, Engineer; Director of the "Banque pour Entreprises électriques" at Zurich.
- Dr. R. HAAS, Director of the "Rheinische Kraftwerke" at Rheinfelden, Germany.
- M. F. W. HANSEN, Director-General of Hydraulic Power and Canals in Sweden.
- M. MAGNIER, Director of Hydraulic Power and Distribution of Electric Energy in the French Ministry of Public Works.

V. *Permanent Committee of Enquiry on Road Traffic.*

- M. STIEVENARD (Chairman)•
- M. •AMUNATEGUI.
- M. REINHARDT.
- M. O. BILFELDT, Head of Section at the Ministry of Justice of Denmark.
- M. E. CHAIX, President of the "Conseil Central du Tourisme international", Paris.
- M. CRESPI, Vice-President of the International Federation of Automobile Clubs, President of the Automobile Club of Milan.
- M. E. DELAQUIS, Head of the Police Division at the Federal Department of Justice and Police, Berne.

- Mr. P. C. FRANKLIN, of the Roads Department, Ministry of Transport, London.  
M. E. MELLINI, Chief Inspector of Railways, Tramways and Automobiles of the Kingdom of Italy.  
M. PFLUG, Ministerial Councillor at the Ministry of Communications of the Reich.  
M. G. F. SCHÖNFELD, Administrator at the Department of Communications, The Hague.  
M. WALCHENAER, Inspector-General of Mines at the Ministry for Public Works, Paris.

#### VI. *Legal Committee.*

- M. URRUTIA (Chairman).  
M. GUERRERO.  
M. WINIARSKI.  
Mr. W. E. BECKETT, Assistant Legal Adviser, Foreign Office, London.  
Jonkheer W. J. M. VAN EYSINGA, Professor at the University of Leyden.  
M. René MAYER, Maître de requête au Conseil d'État, Secretary-General of the "Conseil Supérieur des Chemins de fer", Paris.  
M. J. HOSTIE, former Legal Adviser to the Belgian Department of Marine; Secretary-General of the Central Commission for Rhine Navigation.  
Dr. Scie TON-FA, of the Chinese Legation, at Paris.

#### VII. *Budget Sub-Committee.*

- Mr. BALDWIN (Chairman).  
M. Silvain DREYFUS.  
M. GUERRERO.  
M. OUANG-HANG.  
M. STIEVENARD.  
M. SATO.

#### B. *Temporary Committees.*

##### I. *Committee of Experts on Telegraphic Questions.*

- M. B. FERNANDEZ Y MEDINA, Envoy Extraordinary and Minister Plenipotentiary of Uruguay in Spain, *Chairman*.  
M. ARENDT, Ministerial Councillor in the German Ministry of Posts.  
M. H. L. ETIENNE, Director of the International Telegraphic Union.  
M. G. GNEME, Head of Division in the Telegraphic Department of the Italian Ministry of Communications.  
Mr. LOUDON, Head of Division in the General Post Office of Great Britain;  
M. BOULANGER, Director of the Telegraphic Communications in the French Department of Posts and Telegraphs.

##### II. *Technical Committee for Buoyage and Lighting of Coasts.*

- M. P. H. WATIER, Director of Navigable Waterways and Maritime Ports, Ministry of Public Works, France. Member of the Permanent Committee on Ports and Maritime Navigation, *Chairman*.  
Admiral A. BELLENI, of the Italian Admiralty.  
M. P. VAN BRAAM VAN VLOTEN, Director of the Technical Lighthouse Service, the Netherlands.  
M. E. HÄGG, Director-General of the Royal Administration of Pilotage, Lighthouses and Buoys, Sweden.  
M. S. INOMA, Secretary at the Ministry of Transport, Councillor to the Japanese League of Nations Office.

- Admiral L. LANGLOIS, former Director-General and Chief of the Chilian Naval General Staff.
- M. G. MEYER, Ministerial Councillor of the Navigable Waterways Section in the German Federal Ministry of Communications.
- Captain M. NORTON, Director of the Portuguese Lighthouse Service.
- Commander RAZICOTSICAS, Greece.
- M. A. DE ROUVILLE, Chief Engineer for Bridges and Roads, and for the French Central Lighthouse and Buoyage Service.
- Baron G. WREDE, Director-General of the Finnish Naval Administration.

*For the International Hydrographic Bureau.*

Vice-Admiral NIBLACK, President of the Directing Committee of the Bureau.

*III. Technical Committee for Maritime Tonnage Measurement.*

- Dr. LAHR, Ministerial Councillor, German Ministry of Economics (Chairman).
- M. ABE, representing the Nippon Yusen Kaisha, in London.
- M. L. AALL, Chief Tonnage Surveyor in Norway.
- M. G. BRETON, Vice-President and Director of the "Chargeurs Réunis".
- M. A. VAN DRIEL, Advisory Naval Architect to the Netherlands Navigation Inspection Service.
- M. P. A. LINDBLAD, Chief Tonnage Surveyor and Chief Inspector to the Central Administration of Trade and Industry in Sweden.
- M. A. PALANCA, Naval Architect, Representative of the Navigazione Generale Italiana, Genoa.
- M. SMORGONSKY, Naval Architect, Chief of the Maritime Department in the Central Bureau of the Registry of the U. S. S. R.

*IV. Committee on Private Law in Inland Navigation.*

- M. B. WINIARSKI, Member of the Permanent Committee on Inland Navigation, *Chairman.*
- M. J. HOSTIE, Member of the Legal Committee of the Advisory and Technical Committee.
- M. H. DE JARMAY, Director of the Royal Hungarian fluvial and maritime navigation company.
- M. N. B. MALININE, Legal Adviser to the General Board of River Navigation of the Union of Socialist Soviet Republics.
- M. P. CHARGUERAUD-HARTMANN, Secretary of the International Oder Commission, Legal Adviser to the Ministry of Marine in Paris.
- Professor M. MITTELSTEIN, President of the Court of Appeal at Hamburg.
- M. NAUTA, Barrister at Rotterdam.
- M. D. SITENSKY, Legal Adviser to the Ministry of Commerce of Czechoslovakia.

*V. Committee on Competition between Railways and Waterways.*

- Professor E. F. HECKSCHER, Professor of Political Economy at the Commercial University, Stockholm, *Chairman.*
- M. EBERHARDT, Under-Secretary of State in the Ministry of Railways, Warsaw.
- Mr. C. DILLON, Technical Delegate of Great Britain to the International Danube Commission.

VI. *Committee on Combined Transport.*

- M. Umberto BROCCA, Director-General of the Italian Maritime Services Company, Rome.
- Dr. O. LANKAS, Director at the Ministry of Railways at Prague.
- M. Anton MENS, Director of Freight Service of the firm of M. H. Müller and Co., Rotterdam.
- M. Henri NIEMACK, Ministerial Councillor at the Reichsverkehrsministerium, Berlin.
- M. RIPERT, Professor at the Faculty of Law of Paris.
- Jonkheer VAN DEN BERCH VAN HEEMSTEDÉ, Secretary-General of the International Air Traffic Association, The Hague.
- M. Gaston LEVERVE, Secretary-General of the International Railway Union, Paris.
- Mr. Walter Leslie RUNCIMAN, of Runciman and Company, Shipowners, London, representing the International Chamber of Commerce.

VII. *Committee of Experts appointed to study the question of identity documents for persons without nationality.*

- M. A. POLITIS, Member of the Advisory and Technical Committee for Communications and Transit, *Chairman*.
- M. H. REINHARDT, Member of the Advisory and Technical Committee for Communications and Transit.
- M. DE GÖMÖRY-LAIML, Ministerial Councillor, Director of the Passport and Travel Section at the Royal Hungarian Ministry for Foreign Affairs.
- M. J. KRAUSE, Regierungsrat at the German Ministry of the Interior.
- M. L. MALHOMME, Chief of Division in the Consular Department of the Polish Ministry for Foreign Affairs.
- M. E. DE NAVAILLES, Deputy Director at the French Ministry for Foreign Affairs.
- M. Stan EMANOIL, Deputy-Director of Public Safety in Roumania.

VIII. *Committee of Experts for Cards for Emigrants in Transit.*

- M. Henri DE ROOVER (Belgium), Chief of Emigration Service at the Belgian Ministry for Foreign Affairs, *Chairman*.
- Professor Torquato GIANNINI, Emigration Commissioner at Rome (replaced by M. LABRIOLA).
- M. J. KRAUSE, Regierungsrat at the German Ministry of the Interior.
- Mr. Wm. BAIRD, Assistant European Passenger Manager, Canadian Pacific Railway, London.
- M. L. MALHOMME (Poland), Chief of Division in the Consular Department of the Polish Ministry for Foreign Affairs.

HEALTH COMMITTEE

The mandate of the Health Committee having expired at the end of 1926, sixteen members have recently been elected for a period of three years commencing on January 1, 1927. In accordance with the Rules of Procedure, these consist of the President of the Committee of the *Office International d'Hygiène Publique* and nine members chosen by that Committee, together with six members appointed by the Council of the League after consultation with the Health Committee. Four Assessors may also be appointed by the Council on the nomination of the Health Committee.

- Dr. Th. MADSEN, Director of the State Serum Institute, Copenhagen. . . . . (Danish)

- M. O. VELGHE, Secretary General of the Ministry of the Interior and of Health, Brussels. . . . . (Belgian)
- Dr. Araoz ALFARO, President of the National Health Department, Buenos Ayres. . . . . (Argentine)
- Professor Léon BERNARD, Professor of Hygiene in the Faculty of Medicine, Paris . . . . . (French)
- Sir George BUCHANAN, Senior Medical Officer of the Ministry of Health. London . . . . . (British)
- Dr. H. CARRIERE, Director of the Federal Public Health Service, Berne. . . . . (Swiss)
- Dr. Carlos CHAGAS, Director of the Oswaldo Cruz Institute, Rio de Janeiro; Director General of Public Health . . . . . (Brazilian)
- Dr. Witwold CHODZKO, Former Minister of Health; Director of the State School of Hygiene, Warsaw . . . . . (Polish)
- Surgeon General H. S. CUMMING, Chief of the United States Health Service, Washington. . . . . (United States)
- Lieutenant-Colonel J. D. GRAHAM, Public Health Commissioner with the Government of India . . . . . (Indian)
- Dr. C. HAMEL, President of the "Reichsgesundheitsamt", Berlin. . . . . (German)
- Dr. N. M. J. JITTA, President of the Public Health Council of the Netherlands . . . . . (Netherlands)
- Dr. A. LUTRARIO, Former Director General of Public Health, Ministry of the Interior, Rome. . . . . (Italian)
- Professor Ricardo JORGE, Director General of Public Health, Lisbon. . . . . (Portuguese)
- Dr. L. RAYNAUD, Inspector General of the Public Health Service of Algeria. . . . . (French)
- Dr. M. TSURUMI, Representative of the Health Services of Japan. . . . . (Japanese)

### COMMITTEE ON INTELLECTUAL COOPERATION

(Appointed in accordance with a resolution of the Second Assembly.)

*Members :*

- M. H. A. LORENTZ, Professor of Physics at Leyden University (Chairman). . . . . (Dutch)
- Professor G. A. MURRAY, Professor of Greek at Oxford University (Vice-Chairman). . . . . (British)
- M<sup>rs</sup> K. BONNEVIE, Professor of Zoology at Oslo University . . . . . (Norwegian)
- Sir J. C. BOSE, Founder and Director of the Bose Research Institute, Calcutta. . . . . (Indian)
- M. J. CASARES, Publicist, Member of the Royal Spanish Academy. . . . . (Spanish)
- M. A. DE CASTRO, Professor of Clinical Medicine and former Director of the Medical Faculty of the University of Rio de Janeiro. . . . . (Brazilian)
- M<sup>me</sup> CURIE-SKŁODOWSKA, Professor of Physics at the University of Paris. . . . . (Polish)

M. J. DESTRÉE, former Minister of Science and Arts . . . . .	(Belgian)
M. A. EINSTEIN, Professor of Physics at Berlin University . . . . .	(German)
M. L. LUGONES, Director of the National Library of the Professors of Buenos Aires . . . . .	(Argentine)
M. R. A. MILLIKAN, Director of the Norman Bridge Laboratory of the Californian Institute of Technology . . . . .	(American)
M. PAINLEVÉ, Member of the Institut de France, former Prime Minister . . . . .	(French)
M. G. DE REYNOLD, Professor of French Literature at Berne University . . . . .	(Swiss)
M. Rocco, Professor at the Faculty of Law of the University of Rome . . . . .	(Italian)

*Correspondents :*

M. A. DOPSCH . . . . .	(Austrian)
M. RACOVITZA . . . . .	(Roumanian)
M. KALAB. . . . .	(Czechoslovak)
M. Hoo-Tsi. . . . .	(Chinese)
The Venerable Henry John CODY. . . . .	(Canadian)
M. A. SERGIO DE SOUZA. . . . .	(Portuguese)

*Sub-Committee for University Relations.*

*Members :*

M. DE CASTRO. . . . .	(Brazilian)
Mr. MILLIKAN. . . . .	(American)
Mr. Gilbert MURRAY. . . . .	(British)
M. DE REYNOLD. . . . .	(Swiss)

*Associate Members :*

M. CASTILLEJO. . . . .	(Spanish)
Mr. VERNON KELLOG. . . . .	(American)
M. VON GOTTL-OTTLILIENFELD. . . . .	(German)
M. Th. ODHNER. . . . .	(Swedish)
M. THAMIN. . . . .	(Fraench)
M. Oscar DE HALECKI. . . . .	(Pole)

*Sub-Committee for Bibliography.*

*Members :*

M. LORENTZ. . . . .	(Dutch)
M <sup>me</sup> BONNEVIE. . . . .	(Norwegian)
Sir J. C. BOSE . . . . .	(Indian)
M <sup>me</sup> CURIE. . . . .	(Polish)
M. EINSTEIN . . . . .	(German)
M. PAINLEVÉ . . . . .	(French)

*Associate Members :*

M. GODET. . . . .	(Swiss)
M. SCHRAMM. . . . .	(American)

M. KRÜSS. . . . .	(German)
M. ROLAND-MARCEL. . . . .	(French)

*Sub-Committee for Arts and Letters.*

*Members :*

M. DESTRÉE. . . . .	(Belgian)
M. DE REYNOLD. . . . .	(Swiss)
Mr. Gilbert MURRAY. . . . .	(British)
M. LUGONES. . . . .	(Argentine)
M. CASARES. . . . .	(Spanish)

*Associate Members :*

M. Paul VALÉRY. . . . .	(French)
M. WEINGARTNER. . . . .	(Austrian)
M. JELINEK. . . . .	(Czechoslovak)
M <sup>lle</sup> VACARESCO. . . . .	(Roumanian)
M. FOCILLON. . . . .	(French)
M. TOESCA. . . . .	(Italian)
M. BAUD-BOVY. . . . .	(Swiss)

*Sub-Committee on Intellectual Rights.*

*Members :*

M. DESTRÉE. . . . .	(Belgian)
M. CASARES. . . . .	(Spanish)
M. ROCCO. . . . .	(Italian)

*Substitute Members :*

M. RUFFINI. . . . .	(Italian)
M. OSTERTAG. . . . .	(Swiss)
M. Marcel PLAISANT. . . . .	(French)
M. KNOPH. . . . .	(Norwegian)
M. MAURETTE. . . . .	(Representative of the B. I. T.)

*Sub-Committee of Experts for the Instruction of Children and Young People in the Aims of the League.*

Professor Gilbert MURRAY (British),  
M. DESTRÉE (Belgian),  
M. CASARES (Spanish),  
M. SCHELLBERG (German), Adviser to the Prussian Ministry of Education;  
M. Arturo CORREA (Chilian), Professor at Santiago University;  
• M. Luis A. BARALT (Cuban), Professor and author of works on teaching;  
M. Peter MUNCH (Dane), author of several school history books, delegate of Denmark to the League Assembly;  
M<sup>me</sup> DREYFUS-BARNEY (French), vice-chairman of the Peace Section of the International Council of Women, liaison officer for the joint Committee of International Organisation and the Institute of Intellectual Co-operation;  
Mr. S. N. CHATURVEDI (Indian), Licentiate of Teaching (Allahabad University);  
M. Giuseppe GALLAVRESI (Italian), Professor of History at Milan University and author of works on history, member of the Milan School Board;

- M. NITOBÉ (Japanese), Professor at Tokio University, member of the Japanese Academy;  
M. KIRITZESCO (Roumanian), Director of Secondary Schools at the Ministry of Education;  
M. BOGDAN GAVRILOVITCH (Serbian), former Rector of Belgrade University.

### THE PERMANENT MANDATES COMMISSION

(Constituted in accordance with Paragraph 9 of Article XXII of the Covenant, to receive and examine the annual reports of the Mandatory Powers and to advise the Council on all matters relating to the observance of the Mandates. Appointed as experts and not as Government representatives.)

#### *Members :*

- M. FREIRE D'ANDRADE, former Foreign Minister. . . . . (Portuguese)  
M. BEAU, former Ambassador. . . . . (French)  
Sir Frederick D. LUGARD, G. C. M. G., C. B. . . . .  
D. S. O., former Governor of Nigeria . . . . . (British)  
M. Pierre ORTS, Minister plenipotentiary. . . . . (Belgian)  
M. L. PALACIOS, Professor at Madrid University. (Spanish)  
M. D. VAN REES, former Vice-Chairman of the Council of the Dutch East Indies . . . . . (Dutch)  
Marquis A. THEODOLI, Chairman, former Under-Secretary of State at the Colonial Ministry. (Italian)  
M<sup>me</sup> A. BUGGE-WICKSELL, Doctor of Laws. . . . . (Swedish)  
M. H. CHIYUKI YAMANAKA, former Councillor of Legation. . . . . (Japanese)  
M. William RAPPARD, Vice-Rector of Geneva University (extraordinary member). . . . . (Swiss)

#### *Representative of the International Labour Office.*

Mr. GRIMSHAW.

### SUPERVISORY COMMISSION

(Appointed by the Council in accordance with a decision of the Second Assembly for the purpose of supervising the financial working of the League and advising the Assembly and the Council on such financial and administrative matters as they may refer to it.)

#### *Members :*

- Dr. Stefan OSUSKY, *Chairman* . . . . . (Czechoslovakia)  
M. Luis WADDINGTON . . . . . (Chile)  
Lord MESTON OF AGRA (*Vice-Chairman*). . . . . (India)  
M. Jean RÉVEILLAUD. . . . . (France)  
Dr. J. A. NEDERBRAGT (*Rapporteur*) . . . . . (Netherlands).

#### *Deputy Members :*

- Dr. C. PARRA-PEREZ. . . . . (Venezuela)  
M. HERLUF ZAHLE. . . . . (Denmark)

#### *Auditor of League Accounts :*

- M. A. CERESA. . . . . (Italy)

#### *Deputy Auditor :*

- Dr. F. VIVALDI . . . . . (Italy)



## ADVISORY COMMITTEE ON TRAFFIC IN OPIUM

(Appointed by the Council in accordance with a resolution of the Assembly, December 15th, 1920, for the purpose of securing the fullest possible cooperation between the various countries in regard to the Opium Convention of 1912, and assisting and advising the Council in dealing with any question which may arise in this connection.)

### *Members :*

M. BOURGOIS. . . . .	(France)
Sir John CAMPBELL, C. S. I., O. B. E., I. C. S. . . . .	(India)
M. CAVAZZONI. . . . .	(Italy)
His Highness Prince CHAROON . . . . .	(Siam)
H. E. M. CHAO-HSIN CHU. . . . .	(China)
Dr. Manuel CUELLAR. . . . .	(Bolivia)
Sir MALCOM DELEIVINGNE, K. C. B. . . . .	(Great Britain)
H. E. M. BARTOLOMEU FERREIRA. . . . .	(Portugal)
Dr. ANSELMINO . . . . .	(Germany)
M. SATO . . . . .	(Japan)
M. W. G. VAN WETTUM . . . . .	(Netherlands)
M. FOTITCH. . . . .	(Kingdom of the Serbs, Croats and Slovenes)
Dr. CARRIÈRE. . . . .	(Switzerland)
Mr. Stanley WOODWARD . . . . .	(United States of Ame- rica)

(Appointed by his Government to attend in an unofficial capacity.)

### *Assessors :*

M. BRENIER (French),  
Colonel Arthur Woods (American).

## ADVISORY COMMISSION FOR THE PROTECTION AND WELFARE OF CHILDREN AND YOUNG PEOPLE

(Reconstituted in 1925, under a Resolution of the Fifth Assembly, in order to include child welfare work.)

### *Members appointed by Governments :*

Count CARTON DE WIART. . . . .	(Belgium)
Dr. ESTRID HEIN . . . . .	(Denmark)
S. W. HARRIS Esq., C. B., M. V. O. . . . .	(British Empire)
Don Pedro SANGRO Y ROS DE OLANO ( <i>Chair- man</i> ). . . . .	(Spain)
Miss ABBOTT . . . . .	(United States)
S. E. M. REGNAULT. . . . .	(France)
Marquis PAULUOCI DE CALBOLI. . . . .	(Italy)
(Not yet appointed). . . . .	(Japan)
M. Stanislas POSNER. . . . .	(Poland)
M. CUINTU . . . . .	(Roumania)
Dr. Paulina LUISI. . . . .	(Uruguay)

### *Assessors for Traffic in Women and Children Committee.*

Miss BAKER, International Bureau for Suppression of Traffic in Women and Children.

Mme AVRIL DE SAINTE-CROIX, Women's International Organisations.

- M<sup>ME</sup> DE MONTENACH**, Association catholique internationale des œuvres de protection de la jeune fille.  
**M<sup>ME</sup> CURCHOD-SECRETAN**, Fédération des Unions Nationales des Amies de la jeune fille.  
**S. COHEN Esq.**, Jewish Association for the Protection of Girls and Women.  
**M. VARLEZ**, Liaison Officer with the International Labour office.

*Assessors for Child Welfare Committee.*

- M. Henri ROLLET**, Association Internationale pour la Protection de l'Enfance.  
**Dr. HUMBERT**, League of Red Cross Societies.  
**Dame Katharine FURSE**, International Organisation of Boy Scouts and Girl Guides.  
**Miss Eglantine JEBB**, Union internationale de Secours aux enfants.  
**Miss Eleanor RATHBONE**, Women's international organisations.  
**Mr. BASCOM JOHNSON**.  
**Miss Julia LATHROP**, National Conference of Social Work.  
**M. Ismael VALDES**, Pan American Union.  
**Miss Charlotte WHITTON**, Social Service Council of Canada and Canadian Council of Child Welfare.  
**M<sup>ME</sup> BURNIAUX**, International Federation of Trade Unions.  
**Prof. Léon BERNARD**, Health Organisation of the League of Nations.  
**M. DE REYNOLD**, Intellectual Cooperation Committee.  
**M. JOHNSTON**, International Labour Office.

*Special Body of Experts appointed by the Council with a view to an enquiry into the traffic in women and children.*

- Princesse Cristina BANDINI**.  
**M. Isidore MAUS**.  
**M. Alfred DE MEUTON**.  
**Colonel William SNOW (Chairman)**.  
**Mr. S. W. HARRIS, C. B., M. V. O.**  
**Dr. Paulina LUISI**.  
**M. LE LUC**.  
**M. SUZUKI**.

COMMISSIONERS APPOINTED BY THE LEAGUE OF NATIONS

*Saar Basin Governing Commission.*

(Constituted under the Treaty of Versailles. The members are appointed annually.)

<b>M. KOSSMANN</b> . . . . .	(Sarre)
<b>M. LAMBERT</b> . . . . .	(Belgian)
<b>M. MORIZE</b> . . . . .	(French)
<b>Mr. G. W. STEPHENS (President)</b> . . . . .	(Canadian)
<b>M. VEJENSKY</b> . . . . .	(Czechoslovak)

*High Commissioner of the League of Nations in Dansig.*

(Appointed under Article 103 of the Treaty of Versailles.)

- Dr. VAN HAMBEL** . . . . . (Dutch)

*High Commissioner of the League of Nations for Refugees.*

(Appointed by the Council.)

Dr. NANSEN . . . . . (Norwegian)

OTHER COMMISSIONERS APPOINTED BY THE LEAGUE OF NATIONS  
UNDER INTERNATIONAL CONVENTIONS AND TREATIES

*President of the Upper Silesian Mixed Commission.*

(Appointed by the Council under the German-Polish Convention on Upper Silesia (Article 564) of May 15, 1922.)

M. Félix CALONDER . . . . . (Swiss)

*President of the Upper Silesian Arbitral Tribunal.*

(Appointed by the Council under the German-Polish Convention on Upper Silesia (Article 564) of May 15, 1922.)

M. G. KAECKENBEECK. . . . . (Belgian)

*Greco-Bulgarian Emigration Commission.*

(Two members, including the President, nominated by the Council, in accordance with the Greco-Bulgarian Reciprocal Emigration Convention of November 27, 1919, Article 8.)

Colonel A. C. CORFE. . . . . (New-Zealander)

Colonel J. DE REYNIER. . . . . (Swiss)

*Greco-Turkish Exchange of Populations Commission.*

(Three members, including the President, nominated by the Council in accordance with the Greco-Turkish Exchange of Populations Convention of January 30, 1923.)

M. H. HOLSTAD. . . . . (Norwegian)

General MANRIQUE DE LARA . . . . . (Spanish)

M. K. M. WIDDING . . . . . (Danish)

*Commissioner of the League of Nations for the Execution of the Provisions of  
Article 107 of the Treaty of Lausanne.*

(Nominated by the Council.)

M. H. STABLO. . . . . (French)

*Danube Hydraulic System Commission.*

(The Chairman is appointed by the Council.)

M. Carlo ROSSETTI, Chairman. . . . . (Italian)

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**TO THE SECRETARIAT OF THE LEAGUE OF NATIONS**  
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Howard R. Husron,  
Chief of Establishment Office.

# MONTHLY SUMMARY OF THE LEAGUE OF NATIONS.

Vol. VII. No. 2.

Published on March 15th, 1927.

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Communications concerning the *Monthly Summary* should be addressed to the Information Section, League of Nations, Geneva.

### I. — Summary of the Month.

FEBRUARY 1927

Considerable activity in the technical domain was the main feature of the League's work in February. There were three important meetings of the Technical Organisations—of the Health Committee, the Economic Committee and the Committee on Communications and Transit. Of these meetings, the first and third were preceded by short sessions of various expert sub-committees.

Special studies of questions relating to disarmament were made by experts on civil aviation and on national defence expenditure, meeting respectively in Brussels and Paris. The question of measures to prevent war under Article II of the Covenant was examined by a small committee meeting in London.

The Italian and Albanian Governments deposited for registration the Treaty of Friendship and Security concluded between them on November 27th, 1926;

and the Swiss Government deposited a Treaty of Conciliation and Judicial Settlement concluded between Switzerland and Spain. A communication from the British representative on the Council on British policy in China was received and circulated to the States Members of the League.

## II. — The Permanent Court of International Justice <sup>(1)</sup>.

### 1. — THE CHINESE-BELGIAN DISPUTE

By a communication addressed to the Registrar, the Agents for the Belgian Government in this case announced on February 3rd, 1927, that the Chinese Minister for Foreign Affairs had stated that his Government was prepared provisionally to apply to Belgium a certain specified treatment, and that the Belgian Minister at Peking had accepted this proposal on behalf of the Belgian Government. In consequence of the agreement thus reached, the Belgian Agents asked the President of the Court to revoke the Order of January 8th <sup>(2)</sup>, and indicated that a decision to this effect, which would also be in accordance with the wishes of the Chinese Government, would be calculated to facilitate the negotiations proceeding between the two Governments.

The agreement referred to in the communication of the Agents of the Belgian Government provided for the following treatment :

- 1) adequate protection will be granted to Belgian subjects, including missions, and to their property and vessels, in accordance with the rules of international law;
- 2) the customs tariff at present applied to other countries will also be applied to merchandise imported into China from Belgium or exported from China to Belgium;
- 3) civil and criminal suits in which Belgian nationals are implicated will be heard by the modern Courts only, with the right of appeal, Belgian subjects being authorised to obtain the assistance of advocates and interpreters of Belgian or other nationality, duly approved by the Courts.

The President of the Court, in an Order made on February 15th, stated in the first place that, according to the communication received from the Agents of the Belgian Government, the Treaty of 1865 must be considered as having temporarily ceased to be operative in so far as those rights accruing to Belgium under that Treaty were concerned which the Order of January 8th had been intended to preserve. He added that this held good, whatever the tenor of the final judgment to be given in the case might be, and from whatever standpoint the legal character of the communication above mentioned should be regarded, that was to say, whether it should be regarded as notice of a real agreement between the parties given by one only of them, or as a unilateral declaration by the Belgian Government amending the original submissions of that Government. Observing in the next place that, under these conditions, the new fact thus brought to the Court's knowledge, had removed the circumstances which previously had required the indication of measures of protection, and that, in this case, there were no other circumstances pointing to the indication of such measures, the President declared that the Order of January 8th ceased to be operative.

The suit remains on the list for the Court's next Ordinary Session.

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(1) Article prepared on the basis of information furnished by the Registry of the Court.

(2) See *Monthly Summary*, Vol. VII, No. 1, p. 2.

## 2. — THE « LOTUS » CASE (1)

According to the Court's Statute (Article 35), the conditions under which it is open to States not Members of the League or mentioned in the Annex to the Covenant are to be laid down by the Council of the League, subject to certain provisions.

Accordingly, the Council, on May 17th, 1922, adopted a resolution to the effect that the States in question must, before appearing before the Court, deposit with the Registry of the Court a declaration by which they accept, either in general or for a specific case, the jurisdiction of the Court in accordance with the Covenant (Article 13) and with the terms and subject to the conditions of the Statute and Rules of the Court. This resolution now forms an annex to Article 35, paragraph 2 of the Revised Rules of Court.

In accordance with the various stipulations, the Turkish Chargé d'Affaires at the Hague has filed with the Registry the following declaration :

“The undersigned, being duly empowered by the Government of the Turkish Republic, hereby declares, in accordance with the terms of paragraph 2 of Article 35 of the Rules of the Permanent Court of International Justice, that he accepts, on behalf of that Government, the aforesaid Court's jurisdiction for the dispute which has arisen between the Government of the Turkish Republic and the Government of the French Republic as a result of the collision which occurred on August 2nd, 1926, between the steamships “Boz-Kourt” and “Lotus”, which dispute has formed the subject of the Special Agreement signed by the delegates of the two Governments on October 12th, 1926, and filed on their behalf with the Registry of the Court on January 4th, 1927.

“Done at The Hague, January 24th, 1927.

(Signed) MEHMED ESSAD,

Chargé d'Affaires of the Turkish  
Republic at The Hague.”

In conformity with the above mentioned Council Resolution, the Registrar has sent certified true copies of this Declaration to all States entitled to appear before the Court and to the Secretary-General of the League.

## 3. — COMPETENCE OF THE EUROPEAN COMMISSION OF THE DANUBE

The Roumanian Government having asked for an extension of at least a month, of the time allowed (2) for the filing of written statements by Governments interested in this case, and the British Government, with which the French Government has associated itself, having also asked for an extension of this time the President of the Court decided to grant these requests, and to fix a new time limit, expiring on April 6th, 1927.

The question remains on the list for the Court's next Ordinary Session.

The views of the British Government on the questions put to the Court will be presented by Sir Douglas Hogg, Attorney-General; Mr. T. J. Barnes, Solicitor to the Board of Trade, will act as Agent of the British Government for the purposes of the case.

## 4. — THE CHORZOW CASE (INDEMNITIES)

The Permanent Court of International Justice has just received from the Ger-

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(1) See *Monthly Summary*, Vol. VII, No. 1, p. 3.

(2) See *Monthly Summary*, Vol. VI, No. 12, p. 292.

man Government a fresh application instituting proceedings against the Polish Government in regard to the case known as the case of the Chorzow factory (1).

This Application is based on the judgment given by the Court on May 25th, 1926, in the Germano-Polish case concerning the taking over by the Polish Government of the nitrate factory situated at Chorzow in Polish Upper Silesia, as also upon certain clauses of the Convention concerning the partition of that province between Germany and Poland. Relying, first, on the fact that the Court in its judgment has declared that the Polish Government's attitude towards the German undertakings to which the factory belonged, was not in conformity with the provisions of the Geneva Convention and, second, on the fact that the diplomatic negotiations undertaken with a view to determining, by arrangement, the reparation for the prejudice sustained by the above-mentioned undertakings as a result of the attitude adopted by the Polish Government, have failed, the German Government submits that the Polish Government should pay to the undertakings concerned—the Oberschlesische Stickstoffwerke and the Bayerische Stickstoffwerke Companies—indemnities totalling about 75 million gold marks.

The time limits in the new case have been fixed by the President of the Court so as to enable the latter to deal with it, should nothing unforeseen occur, at its next Ordinary Session.

The German Government has appointed as its Agent for this case, Professor Erich Kaufmann of Bonn.

### III. — The Reduction of Armaments

Questions in connection with disarmament were studied during the month by three committees—namely, the committees on Civil Aviation, on National Defence Budgets and on Article II of the Covenant.

The first and second of these committees were appointed as a result of suggestions made by Sub-Commission A (Military, Naval and Air Questions) of the Preparatory Commission for the Disarmament Conference and the Joint Commission. The third committee was set up by the Council Committee on Disarmament. The reports of the first two committees will be submitted to Sub-Committee B (Economic Questions) of the Preparatory Commission, that of the Committee on Article II to the Council Committee.

#### 1. — MEETING OF THE COMMITTEE OF EXPERTS ON CIVIL AVIATION

This Committee, which met in Brussels from February 7th to February 12th, was called upon to examine the economic consequences to civil aviation which might be entailed by various systems of limitation of air armaments.

The Committee decided to base its examination of this question on the principle that, in any limitation of air armaments, it was essential to avoid hampering the development of civil aviation.

Civil aviation, it stated, must in itself be regarded as one of the most important factors of civilisation, and it was desirable that its free development should not be hampered by any consideration unconnected with the importance which that development possessed from the point of view of scientific, economic and social progress and of the improvement of international communications.

In each of the various systems of limitation examined the Committee discovered economic disadvantages which, it considered, would hamper the development of civil aviation.

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(1) See *Monthly Summary*, Vol. VI, No. 5, p. 106.



For example, a system of limitation of civil and military aviation as a whole would entail estimates of the normal requirements of the different countries with reference to civil aviation and, consequently, estimates of future possibilities as regards those requirements. In view of the difficulty of forecasting developments in civil aviation, whose evolution is governed by a large body of interdependent scientific, economic, industrial and other factors, both complex and impossible to foresee, the use of this method could only be contemplated for agreements of very short duration. This, in the opinion of the Committee, would entail unfortunate consequences, since it would tend to create a state of instability such as would drive capital away from civil aviation undertakings.

For similar reasons, the Committee was of opinion that a "combined" method, applying to all military and civil aviation—a system linking up civil and military aviation and providing for the exchange between States of information as to their normal requirements as regards civil aviation—would entail unfavourable economic consequences. It was noted that certain experts were of the opinion that such exchange of information might encourage competition by prematurely revealing the economic and technical aims of civil aviation undertakings.

The Committee, however, while maintaining that civil aviation, once fully developed, would be one of the most important means of bringing the peoples nearer together, recognised at the same time that its development in some countries had hitherto been closely bound up, both technically and administratively, with the requirements and development of military aviation.

It therefore recommended that every effort should be made to establish a definite distinction between civil and military aviation; in this way civil machines would be able to give a maximum economic return and become less and less useful for military purposes. Its development moreover would no longer be subordinated to military requirements. To this end the Committee submitted a certain number of suggestions bearing upon the organisation of civil aviation enterprises, the special features of the material, the training of personnel, etc., terminating its report with the following remark :

"At the present time civil aviation in most cases has become national in character. It would seem desirable to encourage the conclusion of economic agreements between civil aviation undertakings in the different countries."

\* \* \*

The meeting was attended by M. de Brouckère, Chairman (Belgium); M. E. Al-lard (Belgium; Lieutenant-Colonel I. A. E. Edwards (British Empire); M. W. Fisch (Germany); M. F. Camerman (France); M. A. Locatelli (Italy); General N. Shioden (Japan); M. A. Plesman (Netherlands); M. R. Adamowicz (Poland); M. G. Rujinski (Roumania); M. L. Hogberg (Sweden); M. H. F. Guggenheim (United States of America).

## 2. — MEETING OF THE COMMITTEE OF EXPERTS ON NATIONAL DEFENSE BUDGETS

A Committee of Budget Experts met in Paris, from February 21st to February 26th, to examine certain questions in connection with national defence expenditure and, in particular, the possibility of drawing up a model statement of such expenditure.

This Committee was constituted on the proposal of the Joint Commission whose opinion it was that the establishment of a model statement of national defence expenditure might make it possible to introduce in a Disarmament Convention—in addition to direct numerical limitation of effectives and material—the principle of the limitation of defence expenditure, and would afford a means of

keeping a watch upon the due observance of the Convention, and this with a minimum of interference in the domestic affairs of a country.

At its first session, the Committee of Budget Experts proceeded to a preliminary exchange of views on the preparation of the model statement in question and on the following points : —

The definition of defence expenditure;

The items which might be limited (with particular regard to appropriations for new constructions and renewal of material);

The method of accounting for stocks;

The possibility of carrying forward unexpended balances of appropriations for material in respect of any financial year to the succeeding year;

The special position of non-industrial countries which purchase their material at definite periods;

The selection of certain "key items" and possible eventualities calling for revision of the figures agreed upon.

It then drew up a general list of items of national defence expenditure, and requested the British, Finnish, French, German, Italian and Japanese experts to continue to study the question.

The meeting was attended by the following experts :

Lieutenant-Colonel Elias, of the National Defence Ministry (Czechoslovak); Captain Hori (Japanese); M. Boris Ivanoff (Bulgarian), Chief of the Budget Section of the Financial Ministry; M. Jacomet (French), Military Comptroller; General Danilo Kalafatovitch (Serbian); Mr. G. H. S. Pinsent (British), Treasury Chambers; M. Prenen (Belgian), Inspector-General at the National Defence Ministry; M. Risto Ryli (Finnish), Director of the Bank of Finland; General Manuel Velis (Chilian), Chief of the Chilian Military Mission in Europe; Dr. Worbs (German), of the German Financial Ministry; Colonel Fulvio Zugaro (Italian), of the Italian War Ministry.

### 3. — MEETING OF THE COMMITTEE ON ARTICLE XI OF THE COVENANT

A special committee—M. de Brouckère, Lord Cecil and M. Titulesco—met in London from February 15th to February 17th to study the practical possibility of measures for the prevention of war being taken by the Council under Article XI of the Covenant. It drew up a report which will be considered by the Committee of the Council in March.

At the December meeting of the Council <sup>(1)</sup> several members uttered a warning against any attempt to draw up fixed rules for the Council's action in cases of emergency. The special committee, accordingly, made it clear that it would neither attempt to draw up such rules nor to give an interpretation of Article XI. It confined itself to a statement of such measures as the Council might take, varying with the circumstance of the case, and based in the main on resolutions of the Assembly and the Council and on precedents furnished in the course of the various disputes already dealt with by the Council.

## IV. — Legal and Constitutional Questions.

### INTERNATIONAL ENGAGEMENTS

#### a) *Registration.*

Among the treaties and international agreements registered in February figure :

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(1) See *Monthly Summary*, Vol. VI, No. 12, p. 295.

The Italo-Albanian Treaty of Friendship and Security (Tirana, November 27, 1926) and a Note relating thereto (Durazzo, December 5, 1926), presented for registration by the Italian and Albanian Governments;

A Treaty of Conciliation and Judicial Settlement (Madrid, April 20, 1926) concluded between Spain and Switzerland, presented for registration by the Swiss Government;

A Treaty of Friendship, Commerce and Navigation, with a Protocol concerning jurisdiction applicable to Norwegian subjects in the Kingdom of Siam (Oslo, July 16, 1926), concluded between Norway and Siam, presented for registration by the Norwegian Government;

A Declaration concerning the reciprocal recognition of tonnage certificates issued in Belgium and Estonia (Brussels, September 28, 1926), presented for registration by Estonia; and

Commercial Conventions between Italy and Poland, Austria and Poland, Spain and Hungary, Italy and Latvia, and a provisional commercial arrangement between Bulgaria and Poland.

#### b) *Ratifications.*

The Government of Monaco has deposited the instrument of its ratification of the Protocol on Arbitration Clauses in Commercial Contracts (Geneva, September 14, 1923).

The Czechoslovak Government has deposited the instrument of its ratification of the Convention for the Simplification of Customs Formalities (Geneva, November 3, 1923).

## V. — Technical Organisations.

### 1. — THE HEALTH ORGANISATION

#### *Ninth Session of the Health Committee.*

The ninth session of the Health Committee, held at Geneva from February 14th to 18th, was the first meeting of the newly constituted Committee, which is composed as follows :

#### *President :*

Dr. Th. Madsen (Danish), Director of the State Serum Institute.

#### *Vice-Presidents :*

Professor Bernhard Nocht (German), Rector of the University and Director of the Institute of Tropical Hygiene and Medicine at Hamburg;

Mr. M. Tsurumi (representing the Japanese Health Services);

M. O. Velghe (Belgian), Director-General of the Health Service.

#### *Members :*

Dr. Araoz Alfaro (Argentine), President of the National Health Department;

Dr. Léon Bernard (French), Professor of Hygiene at the Paris University;

Sir G. Buchanan (British), Senior Medical Officer of Health, Ministry of Health;

Dr. J. Cantacuzène (Roumanian), Professor of Bacteriology and Director of the Bucharest Institute of Experimental Medicine;

Dr. H. Carrière (Swiss), Director of the Federal Health Service;

Dr. Carlos Chagas (Brazilian), Director of the Oswaldo Cruz Institute of Medical Research;

Dr. W. Chodzko (Polish), Director of the State School of Hygiene;

Surgeon-General H. S. Cumming, Director of the United States Public Health Service;

Dr. J. Drummond Graham (India), Lieutenant-Colonel of the Indian Medical Service, Commissioner for Public Health for the Government of India;

Geheimrat Dr. Hamel (German), President of the Reichsgesundheitsamt;

Dr. N. M. J. Jitta (Dutch), President of the Board of Health;

Professor R. Jorge (Portuguese), Director-General of Public Health;

Dr. Lutrario (Italian), Former Director-General of the Health Administration;

Dr. Donato Ottolenghi (Italian), Professor of Hygiene at Bologna University;

Dr. Gustavo Pittaluga (Spanish), Professor of Parasitology at Madrid University;

Dr. L. Raynaud (French), Inspector-General of the Algerian Health Service.

The Committee asked the Council for authority to appoint three expert assessors, proposing : —

Dr. J. H. L. Cumpston (Australian), Director-General of Public Health for the Commonwealth of Australia, Melbourne;

Dr. Alice Hamilton (American), Professor of Industrial Hygiene at Harvard University;

Professor C. E. A. Winslow (American), President of the American Public Health Association, Professor of Sanitary Biology and Bacteriology, Yale University.

*Technical Commissions.* — The Committee passed in review the various commissions and conferences of experts dealing with different branches of its activities. It decided to maintain the Malaria and Permanent Standards Commissions as at present constituted; to postpone action in regard to the Cancer Commission because of the absence of its Chairman, Sir George Buchanan, who is at present in the Far East; to maintain the Expert Commissions as now constituted, namely, the Expert Commission on Child Welfare, the Expert Commission on Sleeping Sickness and Tuberculosis in Equatorial Africa and the Commission of Statisticians; to constitute an Expert Commission on Health Insurance; and to ask the Chairmen of the Public Health Instruction, Smallpox and Vaccination, Opium, Tuberculosis, Far Eastern and Anthrax Mixed Commissions to act as rapporteurs on these subjects in the Health Committee. The Opium Commission has terminated its task and the Commissions on Public Health Instruction and Smallpox and Vaccination are approaching the end of theirs. The Health Committee virtually amalgamated the Far Eastern Commission with the Advisory Council of the Singapore Bureau, which was constituted a technical commission of the Health Committee.

*Co-operation with the Office international d'Hygiène publique.* — The Committee discussed a draft proposal on the co-ordination of its work and that of the Committee of the *Office international d'Hygiène publique*, in view of the provisions of the new Sanitary Convention of 1926 permitting the *Office* to discharge certain of the duties entrusted to it by the Convention through the agency of regional bureaux of the League (the Japanese Government signed the Convention only on condition that the Singapore Bureau should undertake these functions in the Far East). The Committee adopted the terms of a provisional draft agreement providing for co-operation between the Health Committee and the Committee of the *Office international*, as well as for the assumption of certain duties under the Convention (reception, transmission and dissemination of information) by the regional bureaux of the Health Organisation and in particular by the Singapore Bureau. The terms of this agreement will be further discussed in April by the Committee of the *Office international*.

*The Budget and increase of Work.* — The Committee approved the budget estimates for 1927-28 and took note "of the large credits necessary for liaison purposes, including interchanges in Latin America and the Far East, and the fact that the budget of the Health Organisation was fully pledged for its present activities." The Committee further noted that "certain credits had been set aside by the Assembly for purposes of collaboration of the League of Nations with Latin America" and decided "to draw the attention of the Assembly to the necessity of allocating credits to the Health Organisation in addition to the amount of its stabilised budget should the Assembly entrust to the Health Organisation new activities in Latin America and the Far East".

*Interchanges.* — In view of the success of the International Public Health courses for medical officers organised as an experiment at the Paris Faculty of Medicine, the Committee decided, if possible, to repeat the course next year, and to arrange similar courses in Berlin and London for German-speaking and English-speaking Health Officers, to start at the beginning of the academic year 1927-28.

It expressed its appreciation of the action of the Government of India and of the local governments of India in welcoming the proposed interchange of Public Health Officers in India to be held toward the end of the year, at the time of the Seventh Congress of the Far Eastern Association of Tropical Medicine, meeting in Calcutta in December, 1917, and of the action of the competent authorities of the German Federal State Governments in arranging for an interchange of public health officers in Germany, beginning in September, 1927.

The Japanese member informed the Committee of a proposal for an interchange of Port Medical Officers in Far Eastern countries based on the experience gained during the course of similar interchanges in the Mediterranean, Baltic and North Sea ports.

Special facilities will be given to Public Health Officers selected by their Health Departments to make an individual study of specified subjects, in particular to those of the Latin-American sanitary administrations.

*Health Insurance and Public Health Service.* — The Health Committee considered the results of the preliminary survey on the relation of health insurance to public health services, undertaken at the instigation of the Czechoslovak delegation to the Sixth Assembly in September, 1925. The survey has brought out the fact that at present a great many health insurance organisations are engaged in one form or another of preventive medicine, health education or public hygiene, but that this work has often been undertaken with little or no correlation with that of other public health agencies. Duplication of work appears in dispensary and laboratory services, etc. It is obvious that the introduction of a well-considered system would allow of better utilisation of all available facilities. To this end, before a programme of prevention in the larger sense is decided on in any country, a critical survey would help to ascertain what facilities were available to the insured through the instrumentality of the various public health and medical agencies.

The Health Committee accordingly decided to appoint a Committee of Experts, half of whom should represent public health administrations and be chosen by itself, while the other half, representing sickness insurance organisations, should be chosen by the Governing Body of the International Labour Office. A mixed secretariat composed of members of the Health Section of the League Secretariat and members of the Social Assurance Service of the International Labour Office, under the direction of the Chief of the Research Division of the International Labour Office and the Medical Director of the Health Committee, is to serve this Commission, whose purpose it will be to study the possibility of co-operation between Public Health Services and insurance organisations from the point of view of prevention.

*Child Welfare.* — The Committee considered and approved the report of the second session of the Conference of Health Experts on Infant welfare held in Paris in January, 1927 <sup>(1)</sup>.

In pursuance of a resolution of the Health Committee at its last session to invite experts from South American countries to participate in the studies proposed by the Conference, the co-operation of Professor Morquio of Monte Video, Professor Figueira of Rio de Janeiro, and Professor Arsez Alfaro of Buenos Ayres had been obtained. Professor Alfaro, who has also been elected member of the Health Committee, attended this session, and he and his colleagues are kept in touch with the proposals of the European members of the Child Welfare Conference. With the approval of the Uruguayan Government, a meeting of these Latin American experts will be held at Monte Video in June next. The President of the Health Committee, Dr. Madsen, and the Medical Director, Dr. Rajchman, will attend this meeting.

*Exemptions under the 1925 Opium Convention.* — The Health Committee examined the replies received from various governments in response to the enquiry as to the names of preparations containing narcotics, to which, in their opinion, the provisions of the International Opium Convention of 1925 should not apply. Under Article 8 of this Convention, the Health Committee of the League, after submitting the question for advice and report to the Committee of the *Office International d'Hygiène publique*, is to inform the Council whether any given preparation should be included in, or exempt from the operation of the provisions of the Convention. Various substances have been proposed for exemption, and one or two for inclusion by a number of countries. The Health Committee passed the lists submitted to the Committee of the *Office International d'Hygiène publique* for their advice.

*Influenza Epidemic.* — The Committee reviewed and approved the measures taken to collect and disseminate information concerning the influenza epidemic <sup>(2)</sup>.

The Health Services of Bulgaria, Germany, Italy, Latvia, Poland, Spain and the United States have telegraphically requested the continuance of the information service for influenza. The Singapore Bureau has been asked to continue to supply information to the Australian Health Service as requested by the latter.

The Health Committee decided that as much detailed information as possible should be collected on the epidemic, while it is still available, and the Health Section has asked all the European Health Services to prepare a general report as soon as the epidemic is at an end in their respective countries. It is hoped that the information thus collected may prove useful in the organisation of preventive measures against future epidemics.

The Health Committee expressed its satisfaction with regard to the development of the work of its Eastern Bureau of Epidemiological Intelligence at Singapore. A steadily increasing number of ports are in regular communication with the Bureau, the system of distributing epidemic news by wireless is increasing, and the regular bulletins and publications are being more and more widely used. A number of administrations have expressed their sense of the value of the Bureau's work, and the number of special enquiries is increasing.

The Health Committee, taking account of the report of the second session of the Advisory Council of the Singapore Bureau held at Singapore in January, decided that the Bureau was in a position to undertake the functions of the *Office*

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(1) See *Monthly Summary*, Vol. VI, No. 10, p. 250 and Vol. VII, No. 1, p. 6.

(2) See *Monthly Summary*, Vol. VII, No. 1, p. 5.

*International d'Hygiène publique* concerning the collection, reception, and dissemination of information under the new Sanitary Convention of 1926, that the Committee of the *Office* had suggested it should undertake. A letter is being sent to the Governments concerned asking them if they will undertake to transmit the notifications of information required through the Singapore Bureau.

The Health Committee further expressed its satisfaction at the decision of the recent Sanitary Conference of the Pacific, at Melbourne in December, that, if a sub-centre were set up for epidemiological information for the Australo-Pacific zone at Melbourne, it would find it of advantage to remain in continuous contact with the Singapore office and to communicate all information and notifications that it might receive in virtue of the Convention through this office.

Lastly, the Health Committee accepted the suggestion of the Advisory Council, that a special Committee of experts on plague should be constituted to undertake research work into the question of plague prevention. The Health Committee expressed its belief that research work of this sort would form a valuable part of the work of the Bureau, which would profit greatly by the existence of Committees of Experts such as that proposed by the Advisory Council.

*Malaria Commission.* — The President of the Commission, Dr. Lutrario, announced that he would not be able to submit the official text or the Commission's report at the present session, but hoped to do so in April. He drew the attention of the Committee to the great interest aroused in various countries by the courses in malariology which had been held at Hamburg, London and Paris. These courses were started by the Health Committee on the advice of its Malaria Commission, since the survey of malaria in Europe and around the Mediterranean basin undertaken by that Commission showed that the need was felt in many countries for a corps of trained malariologists to undertake the work of combating malaria that had become so necessary after the war. The Health Committee therefore organised a general course in malariology for specialists or doctors who wished to specialise in this branch, and ultimately to become malaria officials in the Health Administration of their respective countries.

The Health Committee took note of the publication just issued by the Health Section describing the nature of this course and giving the full programme. The course is divided into a theoretical stage, taking place in an institute and accompanied by laboratory work, and a practical stage, consisting of a period of active work under competent guidance in an area where malaria is being combated.

The first part of the course is given at the London School of Hygiene and Tropical Medicine, under the direction of Dr. A. Balfour; at the Laboratory for Parasitology of the Faculty of Medicine at Paris University, under the direction of Professor Brumpt; and at the Institute for Marine and Tropical Diseases at Hamburg, under the direction of Professor B. Necht. The course, organised by the directors in their respective institutes, will last for about a month, namely, in London from April 25th to June 13th, in Hamburg from May 9th to June 13th, and in Paris from June 7th to July 13th.

The second part of the course will enable participants to familiarise themselves under competent direction both with the day-to-day practical work of a malariologist, and with measures for destroying larvae and the breeding grounds of mosquitoes. In choosing places for the second part of the course, the Health Committee has secured the assistance of various members of its Malaria Commission or of Health Administrations which are well organised for fighting malaria. The latter have kindly consented to allow the participants in the course to take part in the laboratory work performed at their different stations. The second stage will take part in various parts of Italy, Spain and the Kingdom of the Serbs, Croats and Slovenes.

## 2. — THE ECONOMIC AND FINANCIAL ORGANISATION

### *Meeting of the Economic Committee.*

The twenty-first session of the Economic Committee began in Rome on February 25. The agenda included the following questions : simplification of customs formalities, false customs declarations, the execution of arbitral awards made abroad, legislation on bills of exchange, and problems in connection with unemployment.

The Economic Committee is composed as follows : M. E. Neculcea, Chairman (Roumanian); M. Brunet (Belgian); Mr. C. A. B. Campion (Australian); M. J. Barboza Carneiro (Brazilian); M. J. Dvoracek (Czech); M. Henri Heer (Swiss); M. Adolphe Jensen (Dane); M. S. Matsuyama (Japanese); M. A. Pirelli (Italian); M. Richard Schuller (Austrian); M. D. Serruys (French); Sir Hubert Llewellyn Smith (English); M. Ernst Trendelenburg (German); M. Wieniawski (Polish).

As the Committee was still in session at the beginning of March, the account of the meeting will be given in the next number.

## 3. — COMMUNICATIONS AND TRANSIT

### *a) Tenth Session of the Advisory Committee.*

The tenth session of the Committee on Communications and Transit opened at Geneva on February 28th under the chairmanship of M. de Agüero y Bethancourt. The agenda included the preparation of the Third General Conference on Communications and Transit, which will be held at Geneva in August; the examination of the reports of the various committees of the Transit Organisation (the Committee on Transport by Rail, the Committee on Electric Questions, the Committee on Ports and Maritime Navigation and the Committee on Inland Navigation); the question of transit cards for emigrants and identity papers for persons without a national passport; the examination of reports submitted by members having attended as delegates certain international congresses, such as the Paris Road Congress, the Navigation Congress at Cairo, and the Congress on Life-Saving at Amsterdam.

The meeting was preceded by short sessions of various special committees of the Transit Organisation. A full account of these meetings, as of that of the Plenary Committee, will be published in the next number.

### *b) Ports and Maritime Navigation.*

The Committee for Ports and Maritime Navigation held its third session in London from February 3rd to February 5th, under the chairmanship of Sir Norman Hill. Its agenda comprised the following questions : tonnage measurement in maritime navigation; buoyage and lighting of coasts; combined transports; treatment of masters and crews in ports; creation of a central information office for transport questions.

*Maritime Tonnage Measurement* (1). — The Committee contemplated an investigation of this problem on very broad lines. It was, however, of the opinion that it would be advisable, in the first place, to examine ways and means of securing a more satisfactory co-operation of the administrations concerned with a view to the application of existing methods and regulations. Such co-operation, the need of which is more especially felt in the maritime countries of Continental Europe,

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(1) See *Monthly Summary*, Vol. VI, No. 10, p. 253.



could only be provided for by correspondence between the competent authorities.

The Committee also considered the possible effects of a change in the regulations and methods so far as the dues payable in ports were concerned.

*Buoyage and Lighting of Coasts* <sup>(1)</sup>. — The Committee considered a report submitted by the Technical Committee for Buoyage and Lighting of Coasts, and decided to communicate it to the Governments of all maritime countries. The Technical Committee recommended certain measures aiming at the establishment of uniform regulations for luminous signals, port signals and buoys. It also suggested that an international conference be summoned in the autumn of 1927 to discuss this question.

The Committee for Ports and Maritime Navigation was, however, of the opinion that this would be somewhat premature. It would be necessary, it considered, to await any observations which the Governments concerned might make, in order to enable the Committee on Communications and Transit to take such measures as might usefully further either a general international agreement or regional agreements between Governments.

*Combined Transports* <sup>(2)</sup>. — According to information received, the Committee noted that, for the moment, there did not seem to be a general demand in trade circles for the introduction of a general system of combined transport with single documents for maritime and other modes of transport. It also noted that the diversity of the conditions affecting the various kinds of traffic made it desirable that the organisation of combined transport in specific cases and the preparation of the necessary agreements should be left to the authorities most nearly concerned.

In the Committee's opinion, the best way of providing for satisfactory co-operation between maritime and other means of transport, was to investigate what improvements could be made in the operation of the various kinds of transport, and particularly in the use of maritime ports, in accordance with the principles of uniformity and equality which had inspired the various conventions prepared by the Organisation for Communications and Transit.

*Establishment of a Centre of Information*. — The Committee considered the possibility of establishing at Geneva a centre of information concerning ports and maritime navigation. This scheme was one of a series of proposals concerning the Organisation for Communications and Transit as a whole and, as such, will be discussed at the next General Conference, which will be held in Geneva in August. The Committee meanwhile drew up a list of the subjects upon which States will be invited to furnish information.

*Treatment of Masters and Crews in Ports*. — The Committee came to the conclusion that the attention of Governments should be drawn to the necessity, in the interests of international trade, of giving captains and crews in ports all reasonable facilities for going ashore, so long as the general legislation concerning police regulations, emigration, etc. were complied with.

## VI. — Administrative Questions.

### THE SAAR

#### *Resignation of the Chairman of the Governing Commission.*

The Chairman of the Governing Commission of the Saar Territory, Mr. George W. Stephens (Canadian), has informed the Secretary-General of his resignation from the Commission, to take effect as from March 31st, 1927.

(1) See *Monthly Summary*, Vol. VI, No. 8, p. 181.

(2) See *Monthly Summary*, Vol. VI, No. 12, p. 307.

Mr. Stephens was formerly Chairman of the Montreal Harbour Board. In September, 1923, the Council appointed him member of the Governing Commission of the Saar territory. He was at first in charge of the Department of Finance and Food Supply. As Chairman, to which post he was appointed in March, 1926, Mr. Stephens was in charge of the Departments of Foreign and Home Affairs.

The question of the appointment of the Chairman and members of the Governing Commission will be discussed by the Council in March.

## VII. — Political Questions.

### THE SITUATION IN CHINA

#### a) *Statement of British Policy in China.*

On February 8th, the British Secretary of State for Foreign Affairs communicated for the information of members of the League a statement of British Policy in China.

The Statement recalled that, since 1922, the British policy in China had been based on the letter and spirit of the Washington Agreements—namely, that the future policy of the Treaty Powers should be guided by certain general principles designed to safeguard the integrity and independence of China and to promote her political and economic development and the rehabilitation of her finances.

The British Government still adhered to this policy, as regards general principles. Its complete success, however, depended on co-operation between the Powers concerned and a single central Government in China, and subsequent events had modified the hypothesis on which it was based. The Foreign Secretary then set forth the circumstances which had led to his Government's decision, as a precautionary measure, to send to China such troops as might be necessary to protect the British community in Shanghai, adding that the composition of this force was in itself a guarantee that it could only be used for the defensive purposes for which it was exclusively intended.

This was only one aspect of the British Government's policy in China. That Government had declared its readiness to negotiate on Treaty revision as soon as the Chinese themselves had constituted a Government with authority to negotiate. It had meanwhile formulated unilateral measures implying an immediate and radical modification of the Treaty position, which it might, under certain conditions, be possible to take.

The statement emphasised that the policy of his Government, as defined above, was a development, not a departure from that inaugurated at Washington, and concluded as follows :

“In any case His Majesty's Government have felt it right to make this communication to the League of Nations so that its members may have before them a full statement of His Majesty's Government's policy in China and may understand how completely it is in accord with both the letter and the spirit of the Covenant. His Majesty's Government deeply regret that there does not appear to be any way in which the assistance of the League in the settlement of the difficulties in China can be sought at present. But, if any opportunity should arise of invoking the good offices of the League, His Majesty's Government will gladly avail themselves of it.”

#### b) *Communication from the Chinese Representative.*

The Chinese representative on the Council, acting on the instructions of the Chinese Foreign Office, has communicated to the Secretary-General, for his information, a copy of the note of the Chinese Minister for Foreign Affairs to the British

Minister at Peking, dated January 31st, concerning the despatch of British troops to Chinese territory.

In reply to the Secretary-General's enquiry, whether the Chinese Government wished this note to be circulated to the Members of the League, the Chinese representative stated that the communication was for the information of the Secretary-General, to be kept in the official records of the Secretariat. He added, that the Chinese Foreign Office reserved its right to reply to the British Government's statement regarding its policy in China.

## VIII. — Social and Humanitarian Questions.

### 1. — NINTH SESSION OF THE ADVISORY COMMITTEE ON TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS

The Ninth Session of the Advisory Committee on Traffic in Opium and other Dangerous Drugs was held at Geneva, from January 17th to February 3rd, under the chairmanship of Sir John Campbell (India).

The Bolivian and Italian delegates, M. Cuellar and M. Cavazzoni, took part in the work of the Committee for the first time <sup>(1)</sup>.

*General Report of the Secretariat on the situation as regards the opium and drug traffic.* — The Committee considered the report submitted by the Secretariat on the general situation as regards the drug traffic.

The position in Central and South American countries appeared to the Committee to merit special attention. Many of these States had not sent in annual reports, and as the Committee attached considerable interest to information from these parts of the American Continent, it requested the Council to invite these countries to forward regular annual statements.

The Committee noted that, owing to their geographical situation, certain European countries, such as Estonia and Lithuania, played an important part in the transit of drugs. It accordingly decided to ask the Estonian and Lithuanian Governments for detailed information as to their laws and regulations with regard to the import, export and transit of drugs.

The Committee noted with satisfaction that some progress had been made towards preventing the insurance of oversea consignments of opium and drugs destined for illicit purposes. In certain countries insurance companies inserted a special clause covering their responsibility.

*Examination of the Annual Reports of Governments.* — On the occasion of the examination of the annual reports the members of the Committee made statements as to the policy adopted by their Governments in the anti-drug campaign. This examination revealed the continued existence of an extensive clandestine traffic, despite a progressive improvement of measures of supervision, resulting in a considerable number of seizures. The efficacy of such measures was diminished by the fact that the system of import and export certificates was not universally accepted and applied. The Committee accordingly emphasised once more the necessity of a general and effective enforcement of this system, which it considered as one of the most powerful weapons in the fight against the illicit trade.

*The Clandestine Trade.* — The Committee considered the list of the seizures of drugs reported to the League for seven months of 1926. The transactions recorded bore upon very large quantities and the Committee considered that they revealed the "appalling extent and the very widespread ramifications of the traffic". Enormous quantities of drugs were, it noted, sent to China by post.

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(1) See *Monthly Summary*, Vol. VII, No. 1.

The Committee decided to draw the attention of Governments to these circumstances, and urged as the most valuable single step, which could at present be taken, the immediate ratification and the rigid enforcement by all nations of the Geneva Convention of 1925.

*Export of Opium from the Persian Gulf.* — This question came before the Committee at its preceding session, when it suggested that Powers with vessels trading in the Persian Gulf should adopt measures for the supervision of opium consignments despatched under their flags, and thus aid in the campaign against the illicit traffic. The Committee was subsequently informed that certain aspects of this question would be examined by the Committee for Ports and Maritime Navigation.

*Ratification of the Geneva Convention.* — The Committee suggested that the Council should remind the States Members of the League that this Convention would come into force only, after ratification by at least seven of the States represented on the Council, including at least two Permanent Members. Up to the date of the meeting the Convention had been ratified by only one Permanent Member of the Council.

On this occasion the Committee drew the attention of the Council to the delay in the coming into force of the Convention and to the obstacles which the campaign against the illicit traffic would continue to encounter so long as the authority was withheld which it would gain under the Convention.

*Free Ports and Zones.* — The Committee suggested that the various Governments concerned should be asked for detailed information concerning the free ports and zones in their territories and the laws and regulations on drug traffic in force in such areas. It wished to know, in particular, whether these areas were subject to the same laws and regulations—as far as the drug traffic is concerned—as territories governed by a national customs régime.

*Proposal of the British Representative.* — The Committee adopted a draft resolution submitted by Sir Malcolm Delevingne (Great Britain), emphasising the difficulty of discovering from whom the traffickers obtained supplies and the necessity of having this information in order to eradicate the illicit traffic. The Committee accordingly proposed that a systematic and searching enquiry should be undertaken by the Governments of all countries which manufactured or imported drugs, with a view to discovering from whom and by what methods traffickers procured their supplies. It recommended that, over and above other penalties incurred under the laws in force, any manufacturer, importer or dealer found to be knowingly supplying drugs for other than medical or scientific purposes should be prohibited from manufacturing, importing or dealing in any of these drugs for the future.

*Resolution submitted by the Italian Representative.* — The Committee discussed a proposal of the Italian representative, M. Cavazzoni, to the effect that the Council should summon an extraordinary meeting of the Committee to study (1) measures for the limitation and rationing of the drug manufacture, (2) the question of smuggling, its causes and measures for its suppression. With regard to the first point, the Committee felt that it would not be advisable to re-open a discussion on a question examined by the Opium Conference so soon after its meeting.

In the course of the discussion, however, it became clear that a majority of the members were either in favour of or would not oppose the calling of an extraordinary meeting of the Committee to discuss the question of the illicit traffic generally, provided that the discussion at such a meeting were limited to measures which fell within the scope of the Hague Convention or of the Geneva Convention of 1925. The Committee left this matter to the appreciation of the Council.

## 2. — TRAFFIC IN WOMEN AND CHILDREN

The special Body of Experts <sup>(1)</sup> appointed by the Council to investigate the extent of the traffic in women and children and the efficacy of the measures taken against it met at Geneva from February 7th to February 18th.

This body, whose constitution was due to a proposal submitted to the Traffic in Women and Children Committee by Miss Grace Abbott, Chief of the Children's Bureau in the United States Department of Labour, drew up and unanimously adopted a general report on the results of its two years' investigation, which had taken place under the direction of Mr. Bascombe Johnson (American). The report will be discussed by the Council in March.

The meeting was attended by Dr. William Snow, Chairman (American); Donna Cristina Bandini (Italian), M. Isidore Maus (Belgian), M. de Meuron (Swiss), Mr. S. W. Harris (British); M. le Luc (French) and M. Siuzuki (Japanese). Dr. Paulina Luisi (Uruguayan) was unable to attend.

## IX. — Miscellaneous Questions.

### MEETING OF THE SUPERVISORY COMMISSION

The Supervisory Commission held a short meeting at Geneva on February 16th and 17th. There were present Lord Meston of Agra (India), M. Nederbragt (Netherlands), M. Osusky (Czechoslovakia) and M. Waddington (Chile).

The Commission constituted its general committee, electing as chairman M. Osusky, as vice-chairman Lord Meston, and as rapporteur M. Nederbragt. It then considered various questions concerning the finances of the League and the administration of the Secretariat, the International Labour Office and the Permanent Court of International Justice, which had been referred to it by the Assembly, the Council and the Secretary-General.

## X. — Forthcoming Events.

- March 16th : Meeting of Sub-Commission B of the Preparatory Commission for the Disarmament Conference, Geneva.
- March 21st : Meeting of the Preparatory Commission for the Disarmament Conference, Geneva.
- March 22nd : Meeting of the Committee of Experts for the Progressive Codification of International Law, Geneva.
- March 23rd : Meeting of a Sub-Commission of the Sub-Committee of Experts for the Instruction of Youth in the Aims of the League, Paris.
- March 25th : Meeting of the Jury of Architects on Plans for a new Assembly Hall and Secretariat Offices, Geneva.
- March 28th : Meeting of the Committee of Jurists on the Enforcement of Arbitral Awards, Geneva.
- April 4th : Final Conference of the Interchange of Public Health Officers in Great Britain, Geneva.
- April 4th : Meeting of Experts in Double Taxation and Fiscal Evasion, London.
- April 4th : Meeting of Experts in Bibliography, Paris.

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(1) See *Monthly Summary*, Vol. III, No. 4, p. 92.

- April 7th : Meeting of the Committee of Experts for the Coordination of Libraries, Paris.  
April 25th : International Conference on Rabies, Paris.  
April 25th : Meeting of the Traffic in Women and Children Committee, Geneva.  
April 27th : Meeting of the Supervisory Commission, Geneva.  
April 30th : Meeting of the Child Welfare Committee, Geneva.

## XI. — Publications of the League of Nations.

### 1. — DOCUMENTS FOR THE INTERNATIONAL ECONOMIC CONFERENCE

#### a) *Report of the Trade Barriers Committee of the International Chamber of Commerce.*

At the request of the Preparatory Committee for the International Economic Conference the International Chamber of Commerce has prepared a report on trade barriers which has been included in the material for the Conference.

The report is divided into the seven following chapters :

Treatment of Foreigners and Legal and Social Discriminations;  
Obstructions to Transportation;  
Prohibitions or Importation and Exportation (Free Movement of Raw Materials—Export Duties);  
Customs (Technical Questions);  
International Industrial Ententes;  
Financial Difficulties, Price and Credit Problems;  
International Convention for the constitution of a Permanent Conference on Tariff and Trade Questions.

#### b) *Estimates of Working Population in 1931 and 1941.*

As part of the preparatory material for the International Economic Conference, Professor A. D. Bowley, D. Sc., F. B. A., has written a Memorandum giving estimates of the working populations of a series of countries in 1931 and 1941.

#### c) *Methods of Economic Rapprochement.*

At the invitation of the Preparatory Committee for the International Economic Conference, Mr. Eugène Grossmann, Professor of Political Economy at Zurich University, has written a memorandum entitled "Methods of Economic Rapprochement", in which he draws a parallel between economic rapprochement by political methods and international economic rapprochement by agreements among producers.

To so-called political methods of economic rapprochement—commercial treaties, preferential systems and customs unions—Professor Grossman prefers economic rapprochement by means of agreements between the producers of the various countries. One of the most important advantages of such agreements is the rapidity with which they can be put into practice. Government delegates are obliged to safeguard a number of economic and political interests, whereas the representatives of private industry are able to focus their effort on the question at issue, namely the regulation and improvement of any given industrial activity.

He observes that the advantages of this system, far from being merely of an

economic character, may have a political bearing, that is, they may result in the pacification of public opinion in the States concerned.

After setting forth the advantages of the system, the author enumerates its disadvantages. All industries do not lend themselves readily to the organisation of production and sale. The nature of the goods and the mentality of producers and consumers may render difficult the organisation of cartels. The formation of an international cartel may be contrary to the fiscal interests of States or the interests of important transport undertakings.

The author is nevertheless of the opinion that the advantages of the cartel outweigh its disadvantages. He recommends :

(1) The systematic constitution of as large a number as possible of international cartels— for agriculture the International Institute at Rome, for industry the International Chamber of Commerce and the League Economic Committee might deal with these questions.

(2) The fixing by the cartels of the shares of the industries of each country and the organisation of specialised production.

(3) Reduction of customs dues in countries where cartels work by means of a central fund organised by industrial concerns in order to refund to exporters the cost of freight and customs on all international consignments authorised by the cartel. The central fund would procure the necessary funds by subscriptions levied on the national cartels.

The author does not consider that the creation of numerous international cartels would threaten the interests of consumers. If, nevertheless, this were the case the League of Nations might be called upon to examine measures to eliminate abuses noted.

## 2. — SETTLEMENT OF ARMENIAN REFUGEES

The League Secretariat has published a volume containing all the papers connected with a scheme for settling Armenian Refugees in the Republic of Erivan, which has been investigated under the auspices of the League during the past two years.

The principal documents are a report by Dr. Nansen, who visited Armenia with a committee of experts and drew up the original plans for irrigating land for settlement, and reports by a special Settlement Commission appointed by the Council in 1925 and its technical experts, who spent several months in the country. These reports not only give in great detail the technical irrigation scheme, its costs and possibilities, but also general information as to the financial and economic situation in Armenia.

In order to launch the scheme a sum of about 1 1/2 million pounds sterling is necessary. Owing to conditions prevailing in the Union of Socialist Soviet Republics, to which Armenia is affiliated, it is not possible to obtain this money by means of a public loan of the kind with which the League has hitherto been associated. The League has therefore limited its association with the scheme to stating that if the money required to finance the operation is forthcoming from private organisations or individuals or otherwise, it would undertake, on certain conditions, the responsibility of supervising the due expenditure of the money within the conditions of the scheme.

The documents shew that a scheme has been prepared which, in the words of Sir Murdoch MacDonald, the technical authority on the Settlement Commission, is commercially possible; he states that the charges of the debt and such charges as might be necessary to amortise the capital within a reasonable period of years could be met without difficulty.

LEAGUE ORGANISATIONS AND COMMISSIONS (See Vol. VII, No. 1)

**Addenda.**

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b) *Committee for Maritime Navigation.*

Add to the list of the Members of this Committee :

*Mr. M. Boeger, President of the Shipowners Association of Hamburg.*

PAGE 27.

IV. *Committee on Private Law in Inland Navigation.*

Add to the list of the Members of this Committee :

*H. E. Mr. C. Rossetti, president of the Committee on Private Law of the Central Commission for Rhine Navigation.*



# MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

Vol. VII. No. 3.

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Communications concerning the *Monthly Summary* should be addressed to the Information Section, League of Nations, Geneva.

## I. — Summary of the Month.

MARCH 1927

The forty-fourth session of the Council was the principal League event in March. It was preceded and followed by numerous meetings of League committees, in particular, the Preparatory Commission for the Disarmament Conference, the Committee for Communications and Transit and the Committee for the Progressive Codification of International Law.

The Council sat from March 7th to March 12th, the German representative, Dr. Stresemann, acting as President for the first time. The other members represented were Belgium (M. Vandervelde), the British Empire (Sir Austen Chamberlain), Chile (M. Villegas), China (M. Chao-Hsin-Chu), Colombia (M. Urrutia), Czechoslovakia (Dr. Benes), France (M. Briand), Italy (M. Scialoja), Japan (Viscount Ishii), the Netherlands (M. Doude van Trootswyk), Poland (M. Zaleski), Roumania (M. Titulesco), and Salvador (M. Guerrero). The Council also included, for the discussion of certain questions, representatives of the Union of South Africa, Australia, Bulgaria, Estonia, Greece, Hungary, Persia, and the Kingdom of the Serbs, Croats and Slovenes. Certain of the meetings were attended by the President of Danzig Senate, Dr. Sahn; the Chairman of the Saar Governing Commission, Mr. Stephens; the League High Commissioner at Danzig, Dr. van Hamel; the Chairman of the Greek Refugee Settlement Commission, Mr. Eddy; the Chairman of the Special Body of Enquiry into the Traffic in Women, Colonel Snow; the Chairman of the Financial Committee, Dr. Pospisil; the League Commissioner at Sofia, M. Charron; the League representative at Budapest, Mr. Royall Tyler; and the Vice-Chairman of the Permanent Mandates Commission, M. van Rees.

A special feature of this session was the opportunity it afforded of reviewing the progress of the League's work of social and financial reconstruction, in connection with the beginning of a new and decisive phase in various branches of this work, such as the settlement of Bulgarian and Greek refugees, the Estonian banking and currency reform, the financial restoration of Danzig, and the preparation of the Economic Conference, the third General Conference on Communications and Transit and a Conference for the abolition of import and export restrictions. The Council also considered a request from the Roumanian Government, based on Article XI of the Covenant, a petition concerning the German minority in Polish Upper Silesia and proposals from the Saar Governing Commission regarding the maintenance of freedom of transit and transport over the Saar railroads.

The Committee for Communications and Transit, which sat from February 28th to March 5th, drew up the programme of the third General Transit Conference, which is scheduled for August 23rd, and continued its examination of the question of identity papers for persons without nationality and that of transit cards for emigrants.

The committee of jurists studying the question of the execution of arbitral awards made abroad held its second session.

The Committee for the Progressive Codification of International Law met for the third time. It decided to recommend that the Council should summon one or more conferences with a view to the settlement by international agreement of a certain number of questions which the Committee considered ripe for solution by this method.

On the subject of disarmament there were meetings of the Committee of the Council studying the question of measures for the prevention of war, to be taken by the Council in virtue of Article XI of the Covenant; of the Special Commission for the Supervision of the Private Manufacture of Arms; and of the Preparatory Commission for the Disarmament Conference and its Sub-Commission B (Economic Questions).

The President of Czechoslovakia, Dr. Masaryk, visited the League Secretariat on March 11th.

## II. — The Permanent Court of International Justice <sup>(1)</sup>

### 1. — PROTOCOL OF SIGNATURE OF THE COURT STATUTE RATIFICATION BY GERMANY <sup>(2)</sup>

Dr. Stresemann, the German Foreign Minister and Representative on the Council of the League, deposited with the Secretariat on March 11th, the instrument of ratification by the Government of the Reich of the Protocol of Signature attached to the Court Statute.

### 2. — ACCEPTANCE OF THE OPTIONAL CLAUSE REGARDING THE COURT'S COMPULSORY JURISDICTION

*Acceptance by Finland.* — The acceptance of Finland of the compulsory jurisdiction of the Court was renewed, for a period of ten years, on March 3rd, 1927. The declaration, which takes effect as from April 6th, 1927, and which has already been approved by the Finnish Chamber of Representatives, is as follows :

On behalf of the Government of the Finnish Republic, and as from April 6th, 1927, I recognise as compulsory, *ipso facto*, and without special agreement, in relation to any other Member or State accepting the same obligation, that is to say, on condition of reciprocity, the jurisdiction of the Court, purely and simply, for a period of ten years.

R. ERICH.

*Acceptance by Austria <sup>(3)</sup>.* — The instrument ratifying the renewal of Austria by acceptance of the compulsory jurisdiction of the Court was deposited on March 13th, 1927.

### 3. — INFORMATION RELATING TO INTERNATIONAL AGREEMENTS AFFECTING THE JURISDICTION OF THE COURT

By a decision taken in 1923 the Permanent Court of International Justice instructed its Registrar to publish a collection of clauses of international treaties, conventions and agreements governing the Court's jurisdiction. At the same time, the Court asked the Registrar to obtain official information as to the position in regard to signatures and ratifications of conventions containing clauses of this nature, and for this purpose, to apply to the competent authorities of the various signatory States.

In pursuance of this decision, the Governments of States Members of the League were requested, through the Secretary-General, to indicate any clauses of international conventions or agreements of which the Registry could have no knowledge or which might have escaped its notice. A number of Governments complied with this request and due note was taken of the information furnished by them in the first edition of "Extracts from International Agreements affecting the jurisdiction of the Permanent Court of International Justice", which was published on May 15th, 1923 (Series D., No. 3 of the Court's publications). The necessity of publishing a new edition became evident in 1924, as the number of relevant clauses had consi-

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(1) This article has been prepared with the aid of information furnished by the Registry of the Court.

(2) See *Monthly Summary*, Vol. VI, No. 12, p. 293.

(3) See *Monthly Summary*, Vol. VII, No. 1, p. 4.

derably increased, and several Governments had submitted observations in regard to the first edition.

After the publication in June 1924 of this edition (Series D. No. 4) which was duly transmitted to the various States admitted to appear before the Court, the Registry issued from time to time addenda, first in the form of separate brochures, and then in the form of a special chapter inserted in the Court's Annual Report.

Having regard to the ever increasing number of clauses conferring upon the Permanent Court of International Justice jurisdiction for the settlement of disputes of various kinds, the Court instructed the Registrar to prepare a third edition of the collection in question, brought up to date. This volume (Series D., No. 5), the preparation of which was completed towards the end of 1926, has already been transmitted to the various Governments. Although this volume is based on strictly official information, both as regards the actual existence of the clauses affecting the Court's activities, and as regards the text of these clauses, and the position in regard to their signature and ratification, it cannot pretend to be absolutely complete or correct.

The Registrar, therefore, has communicated once more with all Governments concerned, requesting them to furnish him, if possible, regularly with the texts of new agreements concluded which contain clauses affecting the Court's activities and with any data, such as signatures, ratifications, etc. of existing agreements or conventions which would enable the collection in question to be kept thoroughly up to date. In doing so, the Registrar has called attention to the fact that the suggested procedure would be in conformity with the provisions contained, with regard to the communication of arbitration clauses to the Permanent Court of Arbitration, in the Hague Convention of 1907 for the pacific settlement of international disputes.

#### 4. — THE CHORZOW INDEMNITIES CASE (1)

The German Government has informed the Court that it has appointed M. Rabel, Professor of Law, as its National Judge (Article 31 of the Statute of the Court) to sit on the Bench for the hearing of this case.

### III. — The Reduction of Armaments.

The question of the limitation and reduction of armaments was studied in March, in its various aspects, by the Preparatory Commission for the Disarmament Conference and the Special Commission of the Supervision of the Private Manufacture of Arms. The meeting of the Preparatory Commission was preceded by that of its Sub-Commission B (Economic Questions).

The Committee of the Council considered a report submitted by the Committee for the study of Article XI of the Covenant.

#### 1. — SUPERVISION OF THE PRIVATE MANUFACTURE OF ARMS

The special Commission on the Supervision of the Private Manufacture of Arms met on March 14th, at Geneva, to consider a draft convention prepared by a committee composed of M. Cobian, M. Guani and M. Veverka (2). It elected Count Bernstorff (Germany) as chairman and M. Guerrero (Salvador) as vice-chairman.

On this occasion, Mr. Hugh Gibson (United States) gave a general outline of

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(1) See *Monthly Summary*, Vol. VII, No. 2, p. 37.

(2) See *Monthly Summary*, Vol. VI, No. 8, p. 178.

his Government's policy as regards the private manufacture of arms. The United States, he said, in pursuance of its long-established policy of support of all practical measures tending to preserve peace, lighten the burdens of armament and remove the causes of war, was disposed to enter into a suitable international agreement providing for the publication of statistics covering the production, both governmental and private, of arms and ammunition. This point of view had been set forth by the Hon. Theodore Burton during the discussion of the Arms Traffic Convention at Geneva.

After an exchange of views between M. Titulesco (Roumania), M. Sato (Japan), M. Guerrero (Salvador), M. Sokal (Poland), M. de Brouckère (Belgium), General de Marinis (Italy), M. Paul-Boncour (France), Lord Cecil (British Empire), M. Chao-Chin-Chu (China), Mr. Gibson (United States) and M. Veverka (Czechoslovakia), the Commission decided to set up a Sub-Commission composed of the Chairman, the vice-chairman, M. Gibson, General de Marinis, M. Veverka, M. Sato and M. de Brouckère.

The members of the Commission were invited to submit their observations on the preliminary draft Convention to this sub-commission, which will be convened by the chairman.



The Council, on March 8th, requested the Commission to examine the question of the date for which an International Conference on the Supervision of the Private Manufacture of War Material might be convened.

## 2. — MEETING OF SUB-COMMISSION B

Sub-Commission B (Economic Question) met at Geneva on March 16th and 17th to take note of the work of the committees of experts on civil aviation and on national defence expenditure <sup>(1)</sup>.

The reports of both committees were forwarded to the Preparatory Commission for the Disarmament Conference, as Sub-Commission B was not called upon to take any decision in this connection.

*Work of the experts on national defence budgets.* — The special Committee appointed by the Committee of Experts on National Defence Expenditure to prepare a report, has been studying the following questions : definition of defence expenditure; the classification of items of defence expenditure and methods of accounting for stocks; limitation of certain categories of key items; the diversity of methods of budget-accounting; the carrying forward of credits, in particular in the case of non-industrial countries, and the revision of the figures agreed upon.

A certain number of questions relating to the definite form of the model statement of national defence expenditure were reserved for later, the Committee having decided to hold a second meeting in June.

The Committee is composed of M. Worbs (Germany), Mr. Pinsent (British Empire), M. Ryti (Finland), M. Jacomet (France), M. Zugaro (Italy), and M. Hori (Japan).

## 3. — MEETING OF THE PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE

The Preparatory Commission for the Disarmament Conference met at Geneva on March 21st, with M. Loudon (Netherlands) in the chair.

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(1) See *Monthly Summary*, Vol. VII, No. 2, p. 39 et 40.

With a view to facilitating the work of the Commission and providing a basis for its discussions, Lord Cecil (British Empire) and M. Paul-Boncour (France) each deposited a draft convention on the limitation of military, naval and air disarmaments. The Commission, after a general discussion, instructed its bureau to prepare a synoptic analysis of the various chapters of the drafts. The object of this work is, by comparing the texts, to bring out more clearly the similarities and dissimilarities of the two draft conventions, and thus to facilitate the work of the Commission.

An account of the work of the Commission, which at the end of March had begun its examination in first reading of the synoptic tables, will be given in the next number.

#### 4. — MEETING OF THE COMMITTEE OF THE COUNCIL

The Council Committee on Disarmament met at Geneva on March 14th and 15th to consider the draft recommendations prepared by M. de Brouckère, Lord Cecil and M. Titulesco <sup>(1)</sup> on measures for the prevention of war under Article XI of the Covenant.

The Committee completed and adopted the recommendations which it will submit to the Council in June.

There were present at the meeting M. de Brouckère (Belgium); Lord Cecil (British Empire); M. Valdes Mendeville (Chile); M. Chao-Chin-Chu (China); M. Urrutia (Colombia); M. Benes (Czechoslovakia); M. Paul-Boncour (France); M. Goepfert (Germany), Chairman; M. Scialoja (Italy); M. Sato (Japan); M. Doude van Troostwyk (Netherlands); M. Sokal (Poland); M. Titulesco (Roumania); M. Guerrero (Salvador).

#### 5. — RAPID WORKING OF THE LEAGUE ORGANS IN CASE OF EMERGENCY

On the report of Dr. Benes (Czechoslovakia), the Council decided on March 8th to include on the agenda of the next Assembly the proposal made last December by the Committee of the Council, that the Assembly be invited to adopt a general resolution affirming the principle of the obligation incumbent upon States Members of the League to facilitate by every means in their power the meeting of the Council in case of emergency <sup>(2)</sup>.

### IV. — Legal and Constitutional Questions.

#### 1. — INTERNATIONAL ENGAGEMENTS

##### a) *Ratification of Agreements and Conventions concluded under the Auspices of the League.*

The Council considered on March 8th the first report of the Secretary-General on the position as regards the ratification of agreements and conventions concluded under the auspices of the League.

It decided, at the suggestion of the Rapporteur, M. Zaleski (Poland), to call the attention of the Assembly to the growth in recent years of a new practice regarding accession to conventions which are open for accession after the date for signature

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(1) The Report will be published in the *Monthly Summary* after approval by the Council.  
(2) See *Monthly Summary*, Vol. VI, No. 12, p. 295.

has passed. Whereas formerly such accession was given by a single instrument finally accepting the terms of the convention, it is now sometimes the case that the acceding State deposits an instrument of accession which is subject to ratification and does not become finally bound by the convention until it ratifies the accession so given.

*Ratifications.* — The International Slavery Convention (Geneva, September 25th, 1926) has been ratified by Bulgaria. The Convention for the Suppression of the Traffic in Obscene Publications (Geneva, September 12th, 1923) has been ratified by Poland.

The Agreement concerning the Suppression of the Trade in and consumption of prepared opium, adopted by the first Opium Conference (Geneva, February 11th, 1925) has been ratified by the Netherlands.

b) *Registration.*

Among the treaties and international agreements registered in March figure :

A Treaty of Non-Aggression and exchange of notes between Lithuania and the Union of Soviet Socialist Republics (Moscow, September 28th, 1926), presented for registration by the Lithuanian Government..

Three Conventions for the Pacific Settlement of International Disputes between Norway and Sweden, Norway and Denmark, Norway and Finland.

A Treaty of Guarantee and Protocol (Bucarest, March 26th, 1926) between Roumania and Poland.

Two Conventions between Bulgaria and Czechoslovakia (Sofia, May 15th, 1926) on extradition and legal assistance in criminal, civil and commercial matters, presented for registration by the Bulgarian Government;

And a Treaty of Commerce and special Protocol (Madrid July 29th, 1925) between Spain and Czechoslovakia, presented for registration by the Czechoslovak Government.



Four Agreements between American States, concluded at the Fifth Pan-American Conference (Santiago, Chile, 1923) and ratified by the United States have been communicated by that Government to the Secretariat of the League of Nations. They concern the pacific settlement of disputes between American States, the publicity of customs documents, the protection of trade marks and patents and the unification of nomenclature in the classification of wares.

c) *Form of Treaties negotiated under the Auspices of the League.*

At the Council meeting of March 9th, Sir Austen Chamberlain (British Empire), speaking on behalf of the expressed the hope that, in future, treaties concluded under the auspices of the League might conform to the general practice followed in the case of other treaties and be drawn up as agreements between Heads of States. He added that he made this statement at the express desire of the Governments represented at the Imperial Conference of last autumn.

It was the practice, he said, for League treaties to be made in the form of treaties between States—a form which had appeared for the first time in the Treaty of Versailles.

The reversion to the older type was suggested because, as shown by the discussions at the Imperial Conference, this would facilitate acceptance of League treaties by the Governments of the British Empire.

The Council took note of this statement.

## 2. — PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW

The Third Session of the Committee of Experts for the Progressive Codification of International Law opened at Geneva on March 22nd, with Mr. Hammarskjold (Sweden) in the Chair.

On the agenda figured the examination of replies received from twenty-six Governments, including the United States, on questions and reports submitted by the Committee for their opinion and the examination of a list of questions studied by sub-committees, on the subject of which the Governments had not yet been consulted. These questions are : The communication of judicial and other acts in criminal matters, conflicts of laws as regards domicile, the legal status and functions of consuls, the most-favoured-nation clause, the classification of diplomatic agents, the competence of courts in regard to foreign States, the nationality of commercial corporations, the legal personality of foreign commercial corporations, and limitation.

The meeting was attended by Mr. Hammarskjold (Swedish), Chairman ; M. Diena (Italian), Vice-Chairman ; Mr. Mc Nair (British), M. Fromageot (French) ; M. Guerrero (Salvador) ; M. Loder (Netherlands), M. Magalhaes (Portugese) ; M. Rundstein (Polish), M. Schucking (German), Mr. Wickersham (United States).

An account of the Session will be given in the next number.

## 3. — METHOD OF ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL

The question of the single transferable vote and proportional representation in connexion with the problem of the election of the non-permanent members of the Council was examined by the Council on March 7th on the basis of memoranda from the Norwegian Government (1).

On the report of Viscount Ishii (Japan) the Council decided to communicate to the Members of the League the memoranda of the Norwegian Government as well as any reports that might be received from other Members of the League.

## 4. — LEGAL POSITION OF STATES WHICH DO NOT PAY THEIR CONTRIBUTIONS TO THE LEAGUE

The legal position of States which do not pay their contributions to the League was considered by the Council on March 9th, when it decided, on the proposal of the Roumanian representative, to communicate to the Eighth Assembly a confidential report prepared on the subject by the Secretary-General.

M. Titulesco said that he had considered this memorandum and come to the conclusion that the obligation to pay contributions fell under the sanction contained in Article 16 of the Covenant. The execution of the obligation of assistance as provided by the Covenant could not be assured if the Institution through which this obligation was realised should find itself placed, owing to non-payment of contributions, in a difficult situation as regards the carrying out of its functions. On the other hand, he added, the obligation to pay contributions was not one of those whose mere non-execution would automatically entail expulsion from the League. For this, failure in payment would have to be accompanied by circumstances of fact showing the intention not to carry out the obligation arising from the Covenant.

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(1) See *Monthly Summary*, Vol. VI, No. 12, p. 298.



## V. — Technical Organisations.

### 1. — THE HEALTH ORGANISATION

#### *Work of the Health Committee.*

The work of the Committee at its ninth Session <sup>(1)</sup> was approved by the Council on March 7th, on the report of Viscount Ishii (Japan).

The Council confirmed the appointment of the assessors nominated by the Committee; it thanked the German Government for the arrangements it had made for broadcasting the League's weekly influenza bulletin through the Nauen wireless station; and expressed its appreciation of the action of the International Health Board of the Rockefeller Foundation in prolonging for seven years the agreements regarding the Epidemiological Intelligence Service.

The rapporteur drew attention to the fact that the holder of the first exchange professorship between Japan, Europe and America was a Japanese professor of public health, who was giving a series of lectures in Europe and America. The technical liaison with Latin America was developing. A Conference on Infantile Mortality was to be held at Montevideo early in June, to which several Latin American experts were invited.

The Colombian representative, M. Urrutia, after expressing his best wishes for the success of the Conference, suggested that Latin America might be represented among the experts participating in the work of the Health Committee.

The British representative, Sir Austen Chamberlain, drew the attention of the Council to the necessity of affording adequate representation to women on the Health Committee and of taking into account the contribution which women could make to the solution of the problems before the Committee. The Czechoslovak representative seconded this observation.

The Council decided to draw the attention of the Health Committee to the points raised by the Colombian and British representatives.

### 2. — THE ECONOMIC AND FINANCIAL ORGANISATION

#### *a) The International Economic Conference.*

On the proposal of Dr. Stresemann (Germany), the Council, on March 10th, decided to make a few additional appointments to the International Economic Conference, and thus secure the assistance of representatives of certain international organisations which had already cooperated in the preparatory work.

In December, when making arrangements for the convening of the Conference, the Council had reserved its right to make a limited number of fresh appointments in order to ensure that the composition of the Conference would shew an even balance among all the interests involved.

It accordingly decided to appoint the President of the Governing Body of the International Labour Office and the President of the International Institute of Agriculture; five members nominated by the International Chamber of Commerce; a member nominated by the International Cooperative Alliance; and three women to be nominated by the President of the Conference after consulting the appropriate International Women's Organisations.

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(1) See *Monthly Summary*, Vol. VII, No. 2, p. 41.

The Council also authorised the President of the Conference to secure, if necessary, the assistance of members of League Technical Organisations, provided they had not already been appointed by their Governments, and of any other experts on particular questions.

b) *Work of the Economic Committee.*

The Economic Committee held its twenty-first session in Rome, from February 25th to March 2nd. The Chairman of the Committee, M. Pirelli, having been prevented by illness from attending the meeting, Sir Hubert Llewellyn Smith took his place.

The agenda included the following questions :

Abolition of import and export prohibitions and restrictions; application of the Convention for the simplification of customs formalities; treatment of foreigners; false customs declarations; execution of arbitral awards; bills of exchange; and unification of economic statistics.

*Abolition of import and export prohibitions and restrictions.* — The Committee considered the question of the convocation of a Conference for the Abolition of Import and Export Prohibitions and Restrictions as contemplated by the Council at its September (1926) meeting (1). It suggested that the Council should fix the date of this meeting for next October or November.

*Application of the Convention on Customs Formalities.* — The Committee noted with satisfaction that, since last September, this Convention had been ratified by seven of the signatories (Norway, France, Morocco, Tunis, Bulgaria, Switzerland and Czechoslovakia), bringing to twenty-four the total number of ratifications, not including one accession.

Considerable progress in the simplification of formalities was noted by the Committee in the course of its examination of the reports communicated by States to the Secretary-General, in virtue of Article 9 of the Convention, on measures taken to give effect to the Convention.

The Committee also noted that the provisions of the Convention were being more and more used as a basis for the settlement of similar questions in bilateral treaties, which had been found to embody in a large measure not only the principles of the Convention, but also, in many cases, the very wording of its clauses. The Committee contemplated the possibility of shortly beginning preparatory studies to give effect to the recommendations annexed to Article 14 of the Convention (prompt examination of luggage, warehouse regulations, storage dues).

*Treatment of Foreigners* (2). — In June, 1925, the Council expressed the desire to be informed whether, and to what extent the States Members of the League had been able to give effect to the recommendations of the Economic Committee (June, 1923) with regard to the treatment of foreign persons and organisations duly authorised by law to pursue their occupations in the territory of any State. Ten States replied to this enquiry by forwarding their observations to the Secretary-General.

The Committee came to the conclusion that the replies were not sufficiently numerous to form the basis of a report to the Council and decided to await further information.

*False Customs Declarations* (3). — In a report to the Seventh Assembly the Committee had examined the question of the repression of false customs declarations,

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(1) See *Monthly Summary*, Vol. VI, No. 9, p. 208.

(2) See *Monthly Summary*, Vol. V, No. 6, p. 153.

(3) See *Monthly Summary*, Vol. VI, No. 9, p. 209.

concluding that it would be desirable to enlarge the scope of its investigation so as to include fraudulent declarations, made in the course of commercial transactions, to the prejudice of bodies or persons or administrations other than customs authorities. One of the reasons for this conclusion was that the Committee had ascertained that the law of some countries did not always regard as a punishable offence a false declaration to the prejudice of a foreign country.

Nevertheless, before proceeding to a wider enquiry, the Committee thought it better to await the results of the Economic Conference. It proposed in the interval to invite the opinion of certain experts on the juridical and technical aspects of the question.

*Execution of Arbitral Awards.* — The Committee took note of the preliminary report of the jurists who met at Geneva in January 1927 <sup>(1)</sup>.

*Bills of Exchange* <sup>(2)</sup>. — The Committee considered the report of the Committee of experts studying the difficulties encountered by bankers and merchants in daily business as a result of the divergences between the laws of different countries on bills of exchange.

The Committee endorsed the view of the experts that any efforts undertaken should be primarily directed towards an attempt to assimilate or harmonise the laws of countries belonging to the Continental Group. In its opinion, such a result, once achieved, would be a first step towards closer harmony between the Continental and Anglo-Saxon systems.

On the basis of the results already obtained, the Committee proposed, with the approval of the Council, to convene another meeting of experts, the majority of whom should be jurists, to draft the necessary texts for an international agreement, in the form either of a convention or of recommendations for action by the national legislatures.

*Unification of Economic Statistics* <sup>(3)</sup>. — As a result of its joint work with the International Institute of Statistics, the Economic Committee considered that steps should be taken to bring to the notice of the various Governments the importance of adopting uniform methods in compiling economic statistics and of ascertaining to what extent each Government was prepared to apply the principles recommended. The Committee accordingly suggested that a conference, to which all Governments should be invited to send official statisticians, should be convened in 1928, adding that, if this recommendation were approved by the Council, it would submit later concrete proposals for the agenda.

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The report of the Economic Committee was considered by the Council on March 11th. On the proposal of Mr. Stresemann (Germany), it was provisionally decided to convene for November 14th, 1927, a conference on the abolition of export and import prohibitions, and to summon in 1928 a conference of official statisticians with a view to the adoption of uniform methods for the establishment of economic statistics.

<sup>3</sup>*Execution of arbitral Awards made abroad.* — The second session of the Committee of Jurists appointed by the Council to frame a draft international agreement on the execution of arbitral awards made abroad began at Geneva on March 28th.

There were present M. Badevant, professor of Law in Paris; M. Anzilotti, professor of international law at Rome University, Judge of the Permanent Court of International Justice; M. Hora, professor at Prague University; Dr. Volkmar,

(1) See *Monthly Summary*, Vol. VII, No. 1, p. 6.

(2) See *Monthly Summary*, Vol. VI, No. 12, p. 300.

(3) See *Monthly Summary*, Vol. IV, No. 2, p. 40.

Regierungsrat, legal adviser to the Ministry of Justice, Berlin; Dr. Walker, President of the *Cour de Compensation*, Vienna; Mr. Benjamin H. Conner, barrister, President of the American Chamber of Commerce in France, and Mr. Claughton Scott. M. René Arnaud, representative of the International Chamber of Commerce, attended the meetings.

An account of the session will be given in the next number.

c) *Work of the Financial Committee.*

The forty-fourth session of the Financial Committee was held at Geneva, from March 2nd to March 9th.

The agenda included the questions of the settlement of Greek and Bulgarian refugees, the financial restoration of Danzig, the Estonian banking reform, and the utilisation of the balance of the Hungarian loan (see special chapters on these questions). The Committee also dealt with the question of double taxation and tax evasion <sup>(1)</sup> and the collection and publication of monetary and banking laws.

The work of the Committee in connection with the latter questions was examined by the Council on March 10th, the Chinese representative acting as rapporteur.

The Committee, on the initiative of M. Bianchini (Italian), had expressed the opinion that the Secretariat should collect the monetary and banking laws of the world, deferring its views as to the publication of this material until better able to judge the work and expense involved.

*The financial position of Danzig.* — The financial position of the Free City of Danzig was thoroughly examined in March by the Financial Committee and the Council. The President of the Senate of the Free City, Dr. Sahm, the League High Commissioner, Dr. van Hamel, and the Chairman of the Financial Committee, Dr. Pospisil, were present at the debates.

The principle of the issue of a loan by the Free City under the auspices of the League had been approved by the Council in December, subject to the Financial Committee's being satisfied that certain conditions had been fulfilled <sup>(2)</sup>. At its March meeting the Council was able to note that, as a result of the work of the Financial Committee, the more important of these conditions — in particular those concerning the Polish-Danzig Customs Agreement and the tobacco monopoly — might be considered as having been fulfilled. It accordingly expressed its hope that the remaining formalities would be promptly carried out, in order that the Free City Loan might be issued in the near future. The Financial Committee considered that the Danzig loan should not exceed 40 million gulden, to be used for the consolidation of the floating debt, payments to the Conference of Ambassadors and the Reparations Committee, and building of houses.

As regards a separate loan which the Danzig Harbour Board proposed to issue, the Committee saw no objection to this measure, provided it took place after the issue of the loan of the Free City. The Council approved its report.

The President of the Danzig Senate, Dr. Sahm, said that, if negotiations, which had failed at Danzig, had been crowned with success at Geneva, this was due in the first place to the efforts of the Financial Committee, whose report he accepted on behalf of the Free City.

The League High Commissioner, Dr. Van Hamel, expressed the hope that the work of the Financial Committee would contribute to the definite consolidation of the financial position of the Free City. The work which remained depended on the continuous collaboration of the Danzig and Polish Governments, a collaboration which would be still more necessary in the practical application of the agreements which had been concluded.

(1) See *Monthly Summary*, Vol. VII, No. 1, p. 7.

(2) See *Monthly Summary*, Vol. VI, No. 12, p. 302.

The Polish Commissioner, M. Strasburger, paid a tribute to the work of the Financial Committee. His country, he said, had done its utmost to further the financial rehabilitation of Danzig, which was one of the most important factors in the economic development of Poland, as was shewn by the increase of traffic in Danzig Harbour.

The Chairman of the Financial Committee, Dr. Pospisil, expressed his satisfaction that the various obstacles to the loan had been removed, and the hope that the remaining formalities would be accomplished as soon as possible.

The President of the Council, Dr. Stresemann, drew special attention to the League's work in the social, economic and financial fields. Those nations, he said, which had fought against each other in the world war, were now united in a common effort for the general good. Hand in hand with its work in the social and humanitarian field, the League had accomplished an important technical task of economic reconstruction. On behalf of the Council, he thanked all those who had helped in this work.

*Municipal Loan of 1925.* — On March 11th, the Council, on the report of M. Villegas (Chile), decided to seek the opinion of the Financial Committee with regard to a request from the Danzig Senate to use part of the proceeds of the Danzig Municipal Loan of 1925 for objects other than those laid down in the programme of expenditure approved by the Council.

*Banking and Currency Reform in Estonia.* — The question of the Estonian banking and currency reform was discussed by the Council on March 10th, when, on the report of M. Vandervelde (Belgium), it noted a report of the Financial Committee on the subject.

The issue, under the auspices of the League, of an Estonian State loan had been approved by the Council in December. Certain preliminary conditions had been stipulated, in particular, the drafting of a law for the reorganisation of the Bank of Issue, the transfer to that Bank of the State Note Issue, and a currency law.

These laws have now been drafted and their text approved by a special Subcommittee of the Financial Committee cooperating with the Estonian Government experts. The Financial Committee has accordingly authorised its Chairman to approve the conditions of the loan, in accordance with the Protocol signed by the Estonian Government.

On the recommendation of the Financial Committee and on the nomination of the Council, the Estonian Government appointed as Adviser to the Estonian Bank of Issue Sir Walter Williamson, K.C.M.G. (British), who had been acting since May as Adviser to the Estonian Finance Ministry. This appointment is provided for in the Protocol.

*Settlement of Bulgarian Refugees.* — The question of the settlement of Bulgarian refugees was considered by the Council on March 10th in the form of reports from the League Commissioner in Sofia and the Financial Committee. The Council included for the purpose of the discussion the Bulgarian representative, M. Molloff, the Greek representative, M. Dendramis, and the Serb-Croat-Slovene representative, M. Yovanovitch. The Chairman of the Financial Committee, Dr. Pospisil, the League Commissioner, M. Charron, and the Director of the settlement work, M. Sarafoff, were present at the meeting.

The Council adopted the reports of the Financial Committee, noting that of the League Commissioner, which showed that satisfactory progress had been made during the past three months.

The Refugee Settlement Law voted on December 9th had been promulgated on December 14th. The loan authorised by the Council had been simultaneously issued in London and New York on December 21st, and had been a complete success. The new Statutes of the National Bank had come into force on January 1st, 1927.

A general settlement plan had been established, including a census of families in need of relief, the definition of the relief to be given in specific cases, a statement of the amount of land available, the preparatory work required (surveying, clearing, deforestation, draining of marshes, etc.), and estimates of the costs under each of these items.

As regards Bulgaria's financial situation, the Council noted that arrangements had been made regularly to furnish the Financial Committee with information.

On the subject of the settlement of refugees in frontier districts of Bulgaria, the League Commissioner made certain proposals which were approved by the Financial Committee and embodied in its report.

The Greek representative, M. Dendramis, noted that, for practical reasons, the Financial Committee had taken in this connection a decision which did not entirely meet the suggestions put forward by his Government. While this decision could not for the moment modify his Government's point of view, he wished to declare on its behalf, that it would be the first to rejoice if it were proved that its apprehensions were unfounded. The Roumanian and Serb-Croat-Slovene representatives associated themselves with this statement.

The Director of the Refugees Department, M. Sarafoff, and the League Commissioner, M. Charron, speaking in turn, described the organisation of the settlement work and the general plan which had been prepared. On this occasion, M. Sarafoff paid a special tribute to the generous help given by the Pope, the League of Red Cross Societies and various missions.

*Settlement of Greek Refugees.* — The progress of the settlement work for Greek refugees was examined in March by the Financial Committee and the Council including the Greek representative, M. Dendramis. The Chairman of the Greek Refugee Settlement Commission, Mr. Charles B. Eddy (American), and the former Vice-Chairman, Sir John Campbell (British), attended the meetings.

The thirteenth report of the Commission, which covers the last three months of 1926, contains the usual statement of the financial position (budget, recovery of advances, etc.) and deals in some detail with the work of agricultural settlement, the constructive part of which is concluded.

The refugees are now engaged in cereal, vine, tobacco, cotton, hemp, and red-pepper growing, market-gardening, silkworm-breeding and bee-keeping. Experimental and demonstration fields, nurseries and stud farms have been established in Macedonia, and are proving of great value.

The Financial Committee, in connection with an article of the Greek Refugee Settlement Protocol, whereby the Greek Government undertook "to make every effort to secure as soon as possible complete equilibrium between the ordinary receipts and the expenses of the State", requested the Secretariat to collect as complete information as possible on the budget situation before next June. It added :

This information is desirable in any case in connection with the article of the Protocol quoted above; but in view of the statement of the Settlement Commission that the work of establishment cannot be satisfactorily completed without an additional loan, the Committee thinks it may be well to add, though no application for such an additional loan has been made by the Greek Government, that if such an application should be made, it would be absolutely indispensable that the Committee should have complete information of a kind which will give them a clear picture of the whole situation.

The Greek representative, at the Council meeting of March 10th, stated that his Government was doing its utmost to put the country on a sound financial basis; the Finance Minister would very shortly introduce his budget, and on that occasion would make a complete and clear statement of the financial situation of the country. These explanations, he felt sure, would be regarded as satisfactory by the Financial Committee.

The Council, on the report of M. Vandervelde (Belgium), endorsed the conclusions of the Financial Committee.

*Balance of the Hungarian Loan.* — On the recommendation of the Financial Committee, the Council authorised the allocation of a further 50 million gold crowns from the balance of the Hungarian loan for productive investment in 1927-1928, in accordance with a programme submitted by the Hungarian Government. For the purposes of the discussion, the Council included representatives of the Hungarian and Serb-Croat-Slovene Governments. The League representative in Budapest, Mr. Royall Tyler (American), was also present.

### 3. — COMMUNICATIONS AND TRANSIT

#### a) *Tenth Session of the Committee.*

The Committee on Communications and Transit met at Geneva from February 28th to March 5th under the Chairmanship of M. de Aguero y Bethancourt (Cuba).

The Committee considered the reports of its various Committees and drew up the programme of the Third General Conference on Communications and Transit, which will take place in August.

*Identity Papers for Persons without Nationality* <sup>(1)</sup>. — This question was referred to the Committee by a resolution of the Passport Conference held last May at Geneva.

After noting a report prepared by a committee of experts, containing a draft arrangement and agreement, the Committee came to the conclusion that the preliminary studies were so far advanced that an international conference might usefully be convened.

The Committee emphasised that it had dealt with the question from a purely humanitarian and technical point of view. The number of persons who would be affected by a solution of the problem was considerable, especially in Europe. The disadvantages of the present situation were such as to render a solution desirable.

The Committee accordingly proposed that the Council should either convene an international conference for the end of this year, or add the question to the agenda of the Third General Conference on Communications and Transit, to meet during the summer.

It considered that a conference of Government representatives would be best qualified to appreciate the scope of the questions it proposed to settle.

*Transit Cards for Emigrants* <sup>(2)</sup>. — The Committee noted the report of the special committee studying the question of the replacement of consular visas for emigrants by transit cards issued by navigation companies.

This question was taken up as a result of a recommendation of the Passport Conference with a view to the simplification of the formalities attendant upon the issue of visas and identity papers for emigrants travelling from Europe to oversea countries.

The Committee decided to communicate the report to the Governments concerned for the observations.

*Communications affecting the League in Cases of Emergency.* — The Committee decided to communicate to all administrations concerned, for their observations, its report to the Council in December on communications by rail, air, wire and wire-

(1) See *Monthly Summary*, Vol. VII, No. 1, p. 7.

(2) See *Monthly Summary*, Vol. VI, No. 12, p. 307.

less, affecting the League in cases of emergency. It requested the International Air Navigation Commission to consider means for the identification of aircraft employed under the general plan approved by the Council for the above-mentioned communications.

Taking account of the possibility of a general crisis, more particularly in the period immediately preceding mobilisation and the actual period of mobilisation, the Committee considered that the taking over wholly or in part by the authorities of the means of communication might, in many cases, disorganise communications affecting the League, unless these could be ensured by special methods independent of national systems of communications.

The Committee accordingly agreed with the Council as regards the establishment of a wireless station at Geneva for the use of the League, and decided to undertake with expert assistance, the necessary preparatory studies. It instructed the Secretariat to examine the possibility of making or improving a landing ground for aircraft; the said landing ground would be in the neighbourhood of the seat of the League, and in time of emergency would share in the extra-territoriality to which the League was entitled. It was also of opinion that the question of putting aircraft at the disposal of the League should be examined.

The Committee took note of the information already collected on telephone communications between the seat of the League and various capitals, and instructed the Secretariat to continue this enquiry.

*Systematic Collection and Distribution of Information relating to Communications and Transit.* — The Committee, acting on the suggestion of the Seventh Assembly, considered the question of the organisation of a regular service for the collection and distribution of general information on communications and transit, and decided to ask the Third General Conference what action should be taken in this connection.

The Committee had consulted its special committees and prepared a programme in which it endeavoured to give as complete as possible a survey of information which might be of interest to the League and increase its efficiency. For this purpose, it drawn up a provisional list for each class of transport of the various kinds of documents and information which seemed of value. This information would relate exclusively to international legal relations, general conditions of organisation, the economic position of transport and the development of means of communication. The Committee drew attention to the fact that the information required was already contained in published documents, but was widely scattered. All that would therefore be necessary would be to prepare a list of documents with the competent authorities.

*Convocation of the Third General Conference on Communications and Transit.* — The Committee decided to propose that the Council should summon the Third General Conference on Communications and Transit to meet in August with the following agenda :

- (1) Report of the Committee on the work accomplished since the last Conference (November, 1923);
- (2) Report of the Secretary-General of the League on the measures taken for the carrying out of the decisions of previous Conferences;
- (3) Systematic collection and distribution of information connected with Communications and Transit;
- (4) Revision of the Rules of Organisation and the Rules of Procedure adopted at the Barcelona Conference;
- (5) Renewal of the composition of the Advisory and Technical Committee for Communications and Transit, the mandate of its members expiring in November 1927.

In order to avoid expenses on the part of the Governments concerned, the



Committee recommended that the Conference should meet just before the next Assembly.

*Revision of the Rules of the Organisation for Communications and Transit.* — After noting the report of its Legal Committee, the Committee decided to propose that the Conference should revise the Rules of the Organisation for Communications and Transit in the light of the experience gained. It also prepared draft amendments to the Rules of procedure of the General Conferences.

The Committee adopted the reports of its Committees on Transport by Rail, Electric Questions, Ports and Maritime Navigation and Combined Transports and noted the reports submitted by members delegated during the year as its representatives at international congresses.

*Decisions of the Council.* — The Council, on the report of M. Guerrero (Salvador) approved the agenda of the Third General Conference on Communications and Transit, and convened the meeting for August 23rd 1927 at Geneva. It decided to include in the agenda the question of identity papers for persons without nationality.

On this occasion, the rapporteur stated that the settlement of the latter questions could not in any way affect decisions which the Council might have to take as a result of the extension of the Nansen passport system. The Italian representative, M. Scialoja, thought that, in view of the reservations made by certain members of the Committee — which would doubtless be endorsed by their Governments — it might be advisable before the General Conference to consult the various Governments and to prepare the material for the Conference in the light of their replies.

The rapporteur assured M. Scialoja that the President of the Conference would take these observations into consideration when preparing the material.

b) *The Maramarosi-Tarsasag Railways* (1).

The friendly settlement of the affair of the Maramarosi-Tarsasag Railways was noted by the Council on March 8th, on the report of M. Guerrero (Salvador). It was accordingly decided to withdraw this question from the agenda of the March session and to examine it in June only if specific difficulties in the application of the agreements concluded were subsequently notified.

c) *Execution of Article 107 of the Treaty of Lausanne.*

On the proposal of the representative of Salvador, the Council renewed for a further period of one year the appointment of M. Stablo (French) as Commissioner of the League of Nations for the supervision of the execution of Article 107 of the Treaty of Lausanne (2).

4. — INTELLECTUAL COOPERATION AND INTERNATIONAL ORGANISATIONS

a) *Institute for the Unification of Private Law.*

The composition of the Governing body of the International Institute for the Unification of Private Law was considered by the Council on March 12th.

(1) See *Monthly Summary*, Vol. VI, No. 12, p. 308.  
(2) See *Monthly Summary*, Vol. VI, No. 3, p. 61.

In order to meet the legitimate desire of various States to be represented, the Council, on the proposal of M. Scialoja, rapporteur, amended the statute of the Institute, raising to fourteen the maximum number of the members of the Governing Body, not including the President.

The President of the Governing Body is M. Vittorio Scialoja. Of the fourteen members, the twelve following were appointed by the Council : M. ADATCI (Japan), M. Ambroise Colin (France), M. Jules Destrée (Belgium), M. Fernandès (Brazil), Sir Cecil Hurst (British Empire), M. Loder (Netherlands), M. Rocco (Italy), M. Rabel (Germany), M. Rundstein (Poland), M. Titulesco (Rumania), M. Uden (Sweden), and M. Villegas (Chile).

A Spanish member will be appointed by the President of the Council after consulting the Spanish Government; the Council reserved its right to appoint a fourteenth member at its next session.

The International Institute was founded by the Italian Government for the purpose of studying means of harmonising and co-ordinating private law in different States or groups of States, and gradually to prepare the way for the adoption by the different States of a uniform legislation.

The seat of the Institute will be the Villa Aldobrandini in Rome, where arrangements are so far advanced that the Institute will shortly be inaugurated.

#### b) *Education of Youth in the Aims of the League.*

A special sub-committee of the Sub-Committee of Experts for the Education of Youth in the Aims of the League met in Paris, from March 23rd to March 25th, at the Institute of Intellectual Cooperation.

The sub-committee examined the reports made by international associations on the recommendations put forward at the August meeting of the plenary Sub-Committee (1) and decided to propose certain modifications and additions to the original text.

At a meeting arranged between members of the sub-committee and delegates of the *Comité d'Entente des Grandes Organisations Internationales*, the chairman of the sub-committee, M. Destrée, expressed his appreciation of the important work of the associations in furthering international cooperation.

## VI. — Administrative Questions.

### 1. — DANZIG

#### a) *Payment by the League of Expenses in connection with the Post of High Commissioner.*

On March 7th the Council considered a proposal of the League High Commissioner at Danzig to the effect that expenses in connection with his post should be paid by the League and not, as hitherto, in equal shares by the Governments of Poland and Danzig.

This question came before the Council last December and was by it referred to the Supervisory Commission. That body, considering that the expenses of all League Commissioners appointed for a fixed period were charged to the States concerned, was of opinion that it would not be desirable to modify this system in the case of the League Commissioner at Danzig.

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(1) See *Monthly Summary*, Vol. VI, No. 8, p. 182.

The Council endorsed this opinion in the presence of Dr. Sahm, President of the Danzig Senate, and M. van Hamel, League High Commissioner at Danzig.

*b) Storage and Transport of War Material in the Territory of the Free City.*

A request from the League High Commissioner for instructions as to the procedure to be followed in regard to applications for permission to convey through Danzig war material consigned to a country other than Poland was examined by the Council and referred to the Permanent Advisory Commission on Military, Naval and Air Questions on March 7th.

This request was based on a decision of the Council dated June 23, 1921, prohibiting the storage and transport in Danzig of war material unless the consent of the Council had been obtained.

The High Commissioner stated that from time to time he received applications for permits to convey through Danzig material of this kind and that it had been customary for his predecessors, acting as the Council's representatives, to judge of the expediency of granting such permits.

Pending its final decision, the Council, on the report of M. Villegas (Chile), authorised the High Commissioner provisionally to issue the requisite permits.

## 2. — THE SAAR

*a) Freedom of Transport and Transit over the Saar Railroads.*

The question of freedom of transport and transit over the Saar railroads was discussed and settled by the Council on March 12th, in the presence of Mr. G. W. Stephens (Canadian), Chairman of the Saar Governing Commission.

This question was discussed by the Council a year ago, in March, 1926, in connection with the execution by the Commission of the Saar gendarmerie programme. On that occasion the Commission informed the Council that the execution of the programme would be completely terminated in a few weeks' time and that the French Government was about to proceed, at the Commission's request, to the progressive withdrawal of the troops stationed in the Territory.

The Council was of the opinion that, pending the complete withdrawal of the troops, the Commission should submit proposals on the measures it proposed to take in view of its recognised duty of ensuring, in all cases, freedom of transport and transit over the Saar railroads.

In May, 1926, the Commission submitted its first report, which contained the proposals of the majority of the Commission, accompanied by the opinions expressed by the minority (two members of the Commission). The Council postponed its examination of the report, asking for a second statement in December, 1926.

In accordance with this request, the Governing Commission submitted a fresh report, which was adopted by four votes, one of the members being unable to agree to all the points in it.

<sup>9</sup>In this document the Commission proposed the following measures, which, it stated, were intended solely for the protection and security of transport and transit over the Saar railroads :

1. The maintenance of the present Railway Committee, which would continue to perform the duties which had so far devolved upon it, namely :—to ensure the discipline and policing of military transports using the Saar railways; to organise transports of troops and military material over the railways, etc. This Committee, which is composed of officers and technical officials would be maintained within its present limits and would not include more than a hundred persons.

2. A "Saar Railways Defence Force" would be stationed in the Saar, the composition of which could be international and for the furnishing of which the Governing Commission would enter into negotiations with the Occupying Powers in the Rhineland. This force would be organised for the sole purpose of securing the protection of transit and transport over the Saar Railways, and would not have the right to interfere in the maintenance of order or the protection of persons and property. It would be distinguished by a special badge, which each of its members would wear when on duty, and would number eight hundred.

3. The Railway Committee, the Defence Force and two battalions stationed outside the Saar Territory would be at the disposal of the Governing Commission, whenever the latter deemed necessary to request their intervention to ensure the protection of the Saar Railways.

The Commission emphasised in its report that the organisation and maintenance of the Railway Committee and the Defence Force must impose no financial burden or housing difficulties on the Saar Territory. It considered moreover that, after the putting into force of this organisation, there would be no further obstacle to the evacuation of the garrison forces by the French Government, as contemplated by the Council in March, 1926.



The Council's examination of this report with a view to a final settlement of the question gave rise to a prolonged debate in which took part the Chairman of the Governing Commission, Mr. Stephens, the rapporteur, M. Scialoja, and the German, French, Belgian and British representatives.

The Chairman of the Governing Commission explained the proposals contained in the report. The members of the Commission had, he said, endeavoured by conciliation and goodwill to reach a fair solution of the problem and one constituting an advantage for the Saar inhabitants. He then drew attention to the international importance which, in his opinion, attached to the question, and urged the Council, in the interests of European peace and of Saar contentment, not to postpone its solution.

The German representative, Dr. Stresemann, said that he shared Mr. Stephen's opinion as to the necessity of not postponing a settlement. He then traced the development of the question from its origin, in the Saar Annex to the Treaty of Versailles, to its present stage as defined in previous resolutions of the Council, making objections of principle and legal reservations regarding the creation of a Railway Defence Corps. He was nevertheless prepared, in order to reach a practical and final solution, to agree to the establishment of a special force, provided that a date were fixed for the withdrawal of the troops stationed in the Saar, that the numbers of the special force should be kept within reasonable limits, that its international and non-military character were assured and that it should only be called into action in exceptional cases.

The French representative, M. Briand, said that he preferred to abstain from any discussion of the legal aspects of the subject. He could not, however, agree with the point of view of the German representative. He drew attention to the fact that the Council, when called upon to take a decision, had invariably endeavoured to reinforce the authority of its mandatories, and not to do anything which might complicate their task.

The Council itself had, by its resolution of March, 1926, set forth the responsibility of the Governing Commission with regard to the question under discussion; and the Governing Commission had submitted a report which its members had adopted unanimously with one abstention.

M. Briand then declared that, in reason of the extent and density of the Saar railway system, the local gendarmerie would, in his opinion, not be sufficient for

the performance of duties for which the Commission had recommended the organisation of a special defence force. He drew the attention of the Council to the responsibility which it would incur in the event of serious disturbances, and to the necessity of marking, as on previous occasions, its entire confidence in the Commission, which had a particularly delicate duty to perform in the midst of an ardent, and sometimes excitable population. M. Briand added, moreover, that, except as regards the strength and composition of the defence Force, he did not see any very great difference between the proposals of the German representative and those of the Governing Commission. He therefore urged the Council to adopt the conclusions of the latter, on the understanding that the arrangement suggested should be carried out in three months' time, and that both the Railway Committee and the Defence Force should be organisations with an exceptional character.

In reply, Dr. Stresemann declared that it was his earnest desire that the regime approved by the Council should win the assent of, and be supported by the Saar population. He added that he would waive his claim for the settlement of the legal points involved and would merely propose that the new organisation should only take action in exceptional cases and that a final date should be fixed for the withdrawal of the French troops. It was an understood thing that the Governing Commission must command the Council's entire confidence.

The British representative observed that the Council was very near agreement, the French representative having acceded to two of the specific demands put forward by the German representative with regard to the Commission's report. He was advised that this solution was in perfect accord with the Treaty of Versailles, provided that both the Railway Committee and the Defence Force were under the orders of the Governing Commission — which was itself responsible to the Council.

He then explained why, in his opinion, the Defence Force could not be internationally recruited, and concluded that the Council would assume a certain responsibility if it refused to grant the Commission the greatly reduced number which it had finally proposed.

The rapporteur, M. Scialoja, proposed that the Chairman of the Governing Commission should be heard on certain points, in particular, as regards the strength of the Defence Force.

Mr. Stephens paid a tribute to the Saar population. The Saar inhabitants were, he said, an orderly, proud and patriotic people, and the Governing Commission in its contact with this people during seven years had proven to the world that such a unique experiment in governing had only been possible through the mutual respect created in the Saar territory by a prudent administration and by an exemplary people.

As regards the strength of the Defence Force, Mr. Stephens reminded the Council that the number proposed was the result of a compromise. Without consultation with his colleagues, it would be impossible for him to reduce it. The figure of 800 would surely be a maximum, that the Commission might reduce, if it found that a smaller number would furnish the required security. He recalled that the Commission had specifically defined the duties of the Defence Force as concerned with the security of transport and transit over the Saar railroads; these forces would not be used for the maintenance of order generally in the Saar.

The Belgian representative, M. Vandervelde, expressed his satisfaction that the Council had discussed this question in public, and that the various points of view had been so far reconciled as to enable the Council to take a decision.

On the proposal of the President, the rapporteur then submitted a draft resolution, which was unanimously adopted.

By this resolution, the Council took note of the report of the Governing Commission and stipulated :

- (1) that the organisation proposed by the Governing Commission should be put into effect within a maximum delay of three months and therefore the troops stationed in the Territory of the Saar be withdrawn within that period;

(2) that the Railway Commission and the Railway Defence Force should be under the orders of the Governing Commission and be responsible to the Governing Commission;

(3) that the Railway Defence Force should only take action affecting the population under exceptional circumstances, and

(4) that the strength of 800 represented a maximum, which the Governing Commission was entitled to reduce without being obliged previously to refer the matter to the Council.

On behalf of the Council, the rapporteur congratulated the Governing Commission and its Chairman.

b) *Appointment of the Chairman and Members of the Governing Commission.*

On the same date, the Council appointed the Members of the Governing Commission.

The rapporteur, M. Scialoja (Italy) expressed the regret of the Council at the resignation of the Chairman of the Commission, Mr. Stephens, and thanked him for the services he had rendered the League. He added that, pending the appointment of his successor, Mr. Stephens had consented to continue in office for the time being, but not later than the June Council session.

The following members were then appointed for one year as from April 1st, 1927 : M. Kossmann (Saar), M. Lambert (Belgium), M. Morize (French) and M. Vezensky (Czechoslovak).

Mr. Stephens will remain in office until the appointment of the fifth member of the Commission. This appointment will be made by the President of the Council if, after consultation with the other members of the Council, his choice is unanimously approved. The member thus selected will succeed to the chairmanship.

The German representative expressed his satisfaction at Mr. Stephens' decision to continue temporarily in office. He observed that, of the list approved by the Council, one of the Members, M. Lambert, had been in office for seven years. The Council had previously expressed the view that the term of office of a member should not exceed five years. Dr. Stresemann added that no criticism was directed against M. Lambert, who had fulfilled his duties most satisfactorily; it was merely a question of giving other countries an opportunity to take part in the work of the Commission. He asked that the Council should take his observation into consideration, when next appointing the Commission.

### 3. — MANDATES

The report of the Permanent Mandates Commission on the work of its tenth session was examined by the Council, including South African and Australian representatives, in the presence of the vice-chairman of the Commission, M. van Rees. The question of procedure in regard to petitioners <sup>(1)</sup> was also discussed. The report of the Commission may be summarised as follows :

#### I. REPORT OF THE COMMISSION <sup>(2)</sup>

##### a) *Observations of the Commission on Annual Reports.*

###### *Territories under A Mandate.*

*Iraq.* — At its first examination of reports of the Mandatory Power concerning Iraq, the Commission paid special attention to the fundamental provisions of the

(1) See *Monthly Summary*, Vol. VI, No. 9, p. 215.

(2) See *Monthly Summary*, Vol. VI, No. 11, p. 274.

Organic<sup>2</sup> Law adopted by the Constituent Assembly of Iraq and to the practical application of the clauses of the Anglo-Iraq Treaty of Alliance and the agreements by which it is supplemented. On this occasion the accredited representative of the Mandatory explained the guiding principles of the policy pursued by the British Government, which he summarised in the words "Iraq governed for Iraqi and by Iraqi, helped by small numbers of British advisers and inspectors".

In accordance with the Council's recommendation of March, 1926, the Commission examined measures taken by the British Government for the administration of the Kurdish districts, provisions to ensure freedom of trade and the pacification and protection of all sections of the population and measures to facilitate trade with Turkey.

The Commission noted that the Iraq Government, in agreement with the British High Commissioner, had pursued the policy recommended by the Mosul Commission (1). An amnesty had been proclaimed subsequent to the treaty concluded between Great Britain, Iraq and Turkey. The inhabitants who had declared themselves in favour of Turkey had not been molested in any way, and the agitation noted by the Mosul Commission had subsided. The Commission's attention was drawn to the fact that Articles 13 and 16 of the Organic Law proclaimed freedom of conscience and authorised the various communities to establish schools where instruction was given in their own language. It considered nevertheless that the position of the Assyrians — a point raised by the Mosul Commission — was not yet quite clear. The Commission finally took note of the conclusion of a transit convention between Iraq and Syria and of the promulgation of a "Tribal Disputes Law" for the prevention of blood feuds and the settlement of quarrels in a manner understood and accepted by the Sheiks and their people. It heard the views of the High Commissioner in regard to the determination of Crown Lands.

The Commission asked the Mandatory for additional information in its next report on public finance, labour and education. It expressed the hope that the final delimitation of the frontier between Iraq and Syria might be undertaken without undue delay.

*Syria and Lebanon.* — The Commission took note of the final report of the French Government for 1925, and of various reports on the investigations instituted by the French Government with regard to the causes of the Syrian revolt, the responsibility for the events of 1925, and certain political, administrative and military acts reported to the League, which had occurred during the period 1920-1926.

These documents, as the Commission observed, were the work of well-known persons, who had guaranteed the accuracy of the facts reported and the reliability of all the positive conclusions therein contained. This, in the opinion of the Commission, lent particular weight to the conclusions.

In its report the Commission stated that it had been favourably impressed by the conscientious manner in which the enquiries had been conducted, and by the special care taken to exhaust every means of investigation and enable the reader of the reports to form an opinion as to the soundness of the methods employed to discover the truth. It considered that "no enquiry carried out by officials of the Mandatory Power could have furnished fuller guarantees of impartiality".

<sup>2</sup>The political and administrative events preceding the Jebel Druse rebellion had already been examined by the Commission at its meeting in Rome. It accordingly confined itself to noting that both the facts established by the investigation and the final report of the Mandatory for 1925 confirmed several of the opinions expressed at its preceding session, and it expressed the hope that in June, 1927, when examining the next annual report on the administration of Syria, "it would be able to

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(1) See *Monthly Summary*, Vol. V, No. 12, p. 324.

record the tranquillising effect of the policy of the Mandatory Power under the direction of the new High Commissioner in Syria and Lebanon".

• On the other hand, the Commission paid special attention to reports on the enquiry regarding the suppression of the rebellion. These documents, the information furnished by the Mandatory Power and the explanations given by the accredited representative enabled the Commission to form a general opinion as to the allegations contained in the various petitions, without, however, making any definitive pronouncement on individual cases.

The Commission came to the conclusion that there was "no reason to affirm that the suppression of the revolt was carried out in an abnormal manner or was accompanied by reprehensible excuses. If there had been acts of harshness, it added, if there had been distressing incidents, if there had been innocent victims, these facts were unfortunately such as usually occur in the course of all forcible measures of this kind". The hope was expressed that such measures would never again be necessary and that a lasting state of peace would promptly be established.

The Commission, finally, noted that the 1925 report contained information on almost all technical points previously mentioned. It asked for supplementary information in the next report on legislative tests, public finance, the representative councils and administrative staff.

The Commission expressed the hope that it might be possible in the near future to proceed to the final delineation of the frontier between Syria and Iraq.

#### *Territories under B Mandate.*

*British Cameroons.* -- The Commission noted with particular interest the measures contemplated for the improvement of native agricultural methods and, in general, for ensuring the well-being of the natives of the mandated territory. It expressed its satisfaction that the British and French authorities were in close cooperation on the northern frontier for the purpose of stamping out the slave trade.

It asked for additional information on health conditions among labourers employed in plantations, on mission schools and on the child welfare work of the African health visitors.

*Togoland.* — The Commission noted that the quantity of spirits imported into the Gold Coast had increased considerably of recent years. The accredited representative stated, however, that the bulk of the alcohol imported was consumed in the Gold Coast, a very small quantity being consumed in Togoland.

The Commission requested the Mandatory Power to give in its next report statistics regarding the number of labourers employed by Government departments and private enterprises and information on the public health service, the constitution of native tribunals, and public finance.

#### *Territories under C Mandate.*

*Western Samoa.* — The Commission noted with satisfaction the continued prosperity of the Islands. It asked for additional information with regard to native labour regulations in the various districts, education, public health, land tenure and public finance.

*Pacific Islands under Japanese Mandate.* — The Commission asked the Mandatory for certain information regarding public finance and the methods employed in securing the necessary labour for the maintenance of village sanitation and the upkeep of public roads.



b) *Observations of the accredited representatives.*

The accredited representatives of the British and New Zealand Governments communicated their comments with regard to the observations of the Permanent Mandates Commission on Togoland, the Cameroons and Western Samoa.

c) *Observations on petitions.*

The Commission considered a certain number of petitions concerning Syria and Lebanon.

*Syria and Lebanon.* — The Commission drew attention to the fact that, of the very large number of petitions sent in, only one came directly from the mandated territory. Complaints regarding the administration of the mandatory Power usually reached the League through persons living outside Syria. The Commission considered that this practice was highly regrettable, since it was prejudicial not only to the interests of the population, but also to the satisfactory working of the mandate system. If the inhabitants of the mandated territories desirous of lodging a petition with the League applied direct to the representatives of the mandatory Power, their complaints could be more speedily considered by the local authorities and by the Commission itself.

As regards the numerous petitions concerning Syria and Lebanon, the Commission considered that those of a general nature and complaints concerning the various aspects of the policy of the Mandatory (1920-1925) had received their answer in its report on its Rome session. The examination of several complaints regarding the policy of the mandatory Power after the arrival of M. de Jouvenel in Syria was postponed until next session of the Commission, while petitions concerning certain incidents between 1920 and 1925, and measures of repression in 1925/26 were dealt with at its October session.

Most of the facts alleged in these petitions had already been the object of enquiries, the conclusions of which had been communicated to the Commission by the mandatory Power. In many cases the latter disputed the accuracy of the allegations of the petitioners, in others it stated that the facts complained of were inevitable in the given circumstances. The Commission noted that the Mandatory imputed a large number of atrocities, including fires over large areas, to the insurgents.

The Commission, with certain reservations regarding the use of Armenian and Circassian auxiliaries and measures such as air bombardment, burning and destruction of villages and collective fines, came to the conclusion that nothing justified it in supposing that the operations of repression were carried out with an avoidable and hence reprehensible severity. The distressing accidents of which certain inhabitants of the Mandated territories might have been the innocent victims were, in its opinion, particularly regrettable, as affecting a population administered in the name of the League. It expressed its hope that if, contrary to its expectations, it again proved necessary to take military measures, the military authorities of the Mandatory Power would always bear in mind the particularly delicate character of their mission. The representative of the Mandatory having stated that it was possible for every inhabitant to bring his complaints against native official before an administrative or judicial tribunal, the Commission expressed the hope that "the policy followed in Syria would always be such as to convince all the inhabitants that their legitimate interests would in every case receive prompt and effective protection from the authorities". It expressed its satisfaction at learning that the High Commission intended to give its special attention to this matter, "whose importance from the point of view of the prompt and complete pacification of the country could not be exaggerated".

As regards petitions submitted by the Lebanese Committee of Paris, concerning the conditions of option for Lebanese nationality, and by certain inhabitants of Aleppo regarding the northern frontier of Syria, the Commission was, in general, of the opinion that the explanations of the mandatory Power were satisfactory.

*South West Africa.* — The Commission had before it a petition from a hotel proprietor at Windhoek, protesting against the Liquor License Proclamation (1920) and the Indemnity Act (1920) promulgated in the territory. As this petition was not founded on any provision of the Covenant or of the mandate, the Commission decided that it could not take it into consideration.

#### d) *General Questions.*

*Definition of terms concerning the Liquor Traffic.* — The definition of certain terms in the B and C Mandates concerning the liquor traffic was undertaken by the Commission at the request of the Council (1).

After carefully examining the observations of the Mandatory Powers on the subject, the Commission recommended the following interpretations :

The expression "spirituous liquors" used in the B Mandates and in the above-mentioned Convention shall be taken to mean :

- (a) All distilled beverages,
- (b) All fermented beverages to which distilled products have been added so as to contain over 20 degrees of pure alcohol by weight.

The expression "trade spirits of every kind", used in Article 2 of the Convention of St. Germain, shall be taken to mean "cheap spirits utilised as articles of trade or barter with the natives".

In the C Mandates, the expression "intoxicating beverages" should be taken to mean "any beverage containing more than 3 degrees of pure alcohol by weight".

*Agreements concerning the Boundary between South West Africa and Angola.* — The Commission had repeatedly emphasised the necessity of settling the question of the frontier between the mandated territory of South West Africa and the Portuguese Colony of Angola. At its October Session it noted with satisfaction that agreements had been concluded on the subject between the Government of the Union of South Africa and the Portuguese Government. On the same occasion, it drew the attention of the Council to the second paragraph of the preamble to the first of these agreements, which reads :

And whereas under a mandate issued by the Council of the League of Nations in pursuance of Article 22 of the Treaty of Versailles, the Government of the Union of South Africa, subject to the terms of the said mandate, possesses sovereignty over the Territory of South West Africa (hereinafter referred to as the Territory) lately under the sovereignty of Germany.

And expressed its doubt whether the expression "possesses sovereignty", even when limited as in the above passage, could be held correctly to define, having regard to the terms of the Covenant, the relations between the mandatory Power and the territory placed under its mandate.

*Frontier between Syria and Transjordan.* — The Commission expressed its hope that an understanding would be reached between the mandatory authorities of Syria and Transjordan for the supervision of their common frontier.

## 2. DECISIONS OF THE COUNCIL

The Council took note of the report of the Commission. It instructed the Secretary-General to forward to the Mandatory Powers the observations of the

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(1) See *Monthly Summary*, Vol. VI, No. 6, p. 147.

Commission on the annual reports and its recommendations as to the definition of certain terms regarding the liquor traffic. It further instructed him to express to the South African and Portuguese Governments its satisfaction at the conclusions of agreements concerning the boundary between South West Africa and to forward for the information of the Mandatory Power concerned the observations of the Commission with regard to the expression "possesses sovereignty" (1).

As regards the petitions examined by the Commission the Council decided to forward to the Mandatories the observations of the Commission and to communicate to the petitioners, for their information, the conclusions of the Commission.

The Council moreover took note of a report by the Netherlands representative and the observations of the Mandatory Powers on the hearing of petitioners in certain cases. The Mandatory Powers were all opposed to this procedure, which in their opinion would be inconsistent with the very nature of the mandate system.

In this connection, the rapporteur recalled that the procedure for handling petitions had been instituted by the Council in order that the Commission might have further means of obtaining information on conditions in the mandated territories. It would not, however, be desirable to seek to attain this object by means which might alter the character of the Commission.

Should the latter desire further information on any particular points in connection with a petition it could always apply to the Mandatory Power, which would certainly accede to its request. If, in any special case, circumstances showed that it was impossible for all the necessary information to be procured in this way the Council could decide on such exceptional procedure as might seem appropriate and necessary.

The Council endorsed this opinion and decided that there was no occasion to modify the procedure at present in force.

### 3. POSTPONEMENT OF THE DEPOSIT OF THE ORGANIC LAW FOR SYRIA AND THE LEBANON

At the Council Meeting of March 12th, the French representative made the following statement with regard to the Organic Law the Mandatory Power, by the terms of the Mandate, is called upon to frame for Syria and the Lebanon :

The Mandatory Power has endeavoured in the first place to promote agreement among the populations concerned and to reconcile their conflicting desires as regards their Statute. The diversity of the communities inhabiting these territories, their conflicting rights, interests and wishes, and the desire expressed by several of them for an autonomous political regime rendered this task extremely difficult, especially after the events which so profoundly disturbed the peace and threatened public security.

For these reasons the framing of the Organic Law has not yet progressed beyond the stage at which it was found possible to bring into harmony the interests of the previously constituted autonomous States. A provisional Statute, therefore, has been drawn up for each of those districts in which a sufficient measure of agreement has been reached among the various groups of inhabitants.

..... The Mandatory Power is actively pursuing its endeavours to reconcile the interests and wishes of these populations. It hopes that the work of pacification and restoration of order, which has progressed considerably since its last communication to the Council, will facilitate its task and enable it to carry out as soon as possible the recommendation embodied in Article 1 of the Mandate.

## VII. — The Protection of Minorities in Upper Silesia

One minority question figured on the Council agenda in the form of an appeal from the *Deutscher Volksbund* of Polish Silesia. This appeal, which concerned the

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(1) See Above

exclusion of a certain number of children from the German primary minority schools in Polish Silesia, had, in accordance with the terms of the Germano-Polish Convention on Upper Silesia, been forwarded to the Secretary-General by the Polish Government, together with the observations of the latter.

The members of the Council had already received the various material on the subject. On March 8th, the Council heard a preliminary statement by its rapporteur, M. Urrutia (Colombia), recalling the principal features of the case : an administrative enquiry by the Polish authorities; the conclusions of the *Volksbund*; the opinion of the President of the Upper Silesian Mixed Commission; and the observations of the Polish Government. The Council requested its rapporteur to study the question with the assistance of the Netherlands and Italian representatives.

At a public meeting, on March 12th, M. Urrutia submitted, on behalf of the Committee constituted on March 8th, a draft resolution which was adopted by the Council. On this occasion, statements were made by the German and Polish representatives.

The following is a brief analysis of the question as viewed by the Council, of the Council's final resolution and of the declarations of the German and Polish representatives.

The entries for the German minority schools for the school year 1926/27 numbered roughly 8650. The Polish School authorities, considering that there had been an abuse of the right of application—due either to ignorance or to pressure—ordered an administrative enquiry. The persons responsible for the education of the children had to state the mother-tongue of the children and again to declare whether they desired to enter their children for the German minority school or the Polish majority school.

As a result of the enquiry, the Polish authorities cancelled for various reasons, the majority of the entries for the German minority schools. In most cases this measure was based either on the conclusion that the children entered did not belong to the German minority, or on the fact that the persons responsible for their education had not complied with the summons to attend the enquiry.

The *Deutscher Volksbund* thereupon addressed to the Polish Minorities Office a petition protesting against these measures and demanding that the children in question should be immediately admitted to the German minority schools.

This petition was referred to the President of the Upper Silesian Mixed Commission, who gave an opinion to the effect that the institution of a general hearing of persons who had entered children for the German schools, in order to verify their statements, was not justified under the Germano-Polish Convention, and that certain entries had been wrongfully cancelled. He further stated that, in his opinion, the question whether a child should attend a minority school depended solely upon the wishes of the person legally responsible for the child's education. From the educational standpoint he considered it a mistake to send to a German school children who did not understand German. This was contrary to the interests both of the children and of the schools. This problem, the solution of which seemed desirable, could only be solved by an agreement, outside the scope of the Convention, between the competent authorities and the *Deutscher Volksbund*.

After considering the opinion given by the President of the Mixed Commission the Prefect of Silesia stated that he saw no possibility of complying with it in full, but that he nevertheless held it his duty to accede to the legitimate claims of the German minority in Polish Upper Silesia in respect of educational facilities, and was prepared to discuss matters with the interested parties, with a view to affording them satisfaction within the limits compatible with the letter and the spirit of the Germano-Polish Convention, and with his primary duty of safeguarding the supreme interests of the State and of the population as a whole.

This statement did not satisfy the *Deutscher Volksbund*. It accordingly addressed to the Council an appeal which was forwarded and accompanied by observations by the Polish Government.

The Polish Government agreed that the Germano-Polish Convention laid down that the statements of the person legally responsible for the education of a child, in respect of its language, should not be disputed. It was nevertheless of the opinion that the control of the truth of such statements was not contrary to the Convention; that the automatic application of the terms of the Convention might lead to an "abuse of right" at the expense of the child, who, not knowing the language in which the teaching took place, would be unable to make any progress with its studies; and that the enquiry conducted by the Polish authorities had shown that such control was absolutely necessary. The Polish Government added that it had no intention of introducing this procedure as a permanent system, and that it was fully prepared to consider in a sympathetic spirit any other method which would guarantee the efficacy of such control. It further observed that, according to the Germano-Polish Convention, the minority schools were intended exclusively for the minority. The Polish Government stated finally that it would be glad if the difficulties which had arisen with regard to schools in Polish Upper Silesia could be removed by means of an agreement taking into consideration, first, the needs of the minority inhabiting that territory in conformity with the provisions of the Geneva Convention, and secondly, the necessity of getting rid of all abuses by the strict application of the principle that the sole object of the provisions for the protection of the minorities was the protection of those minorities.

The report which the Colombian representative submitted in his own name and in that of his two colleagues, contained in the form of a draft resolution an arrangement settling both the general question—whose main features are described above—and certain specific cases concerning three minority schools on the subject of which the Deutscher Volksbund had appealed to the League.

Under this arrangement the Council noted the Polish Government's statement to the effect that children had been admitted to the minority schools whose mother-tongue, according to the declarations made by the persons legally responsible for their education during the enquiry held in the summer of 1926, was German. It directed the Polish Government's attention to the great importance of not insisting upon the measures taken by its local authorities to exclude from the minority schools children whose parents did not comply with the invitation to appear at the enquiry; and children whose mother-tongue was stated at the time of the enquiry to be both German and Polish. The Council expressed its opinion that it was inexpedient to admit to minority schools children who spoke only Polish, and instituted a system of enquiry into the concrete cases which appeared doubtful to the Polish local school authorities. The object of the enquiry will be to ascertain whether or not the child speaks the "school" language used in the minority school so that it can usefully attend that school. The enquiry will be under the supervision of the President of the Upper Silesian Mixed Commission, assisted by a Swiss national, expert in educational matters. The Council further specified that the arrangement should be regarded as an exceptional measure designed to meet a *de facto* situation not covered by the Germano-Polish Convention, and should not be interpreted as in any way modifying the provisions of that Convention.

The German representative, Dr. Stresemann, said that the resolution left the legal question open; the Convention laid down explicitly that the statements of the children's parents might be neither verified nor contested and, to his thinking, the President of the Mixed Commission had defined the legal situation in an absolutely accurate manner. If the German Government made no objection to the report notwithstanding the legal position, it was because, as emphasised in the resolution, the solution in the present case was to be regarded only as an exceptional measure and applicable only to an exceptional situation.

The Polish representative, M. Zaleski, stated that the Polish Government had never contested any provision of the Geneva Convention regarding the minority schools, and that the reason why it had adopted the measures which gave rise

to the request made by the representatives of the German minority in Polish Upper Silesia was solely because it found itself bound to put an end to numerous abuses which had occurred in this matter.

On behalf of the Council, the President congratulated the rapporteur, M. Urrutia, and his colleagues, the Netherlands and Italian representatives.

## VIII. — Political Questions.

### 1. — GRÆCO-BULGARIAN REFUGEES : EXECUTION OF THE COUNCIL RECOMMENDATION OF DECEMBER 14TH, 1925 (1)

This question was dealt with by the Council on March 11th, when it noted on the report of Sir Austen Chamberlain that some 4,000 new declarations had been received by the Mixed Commission, affecting 13,000 Bulgarians desirous of taking advantage of the Convention on Voluntary Emigration between Bulgaria and Greece signed at Neuilly-sur-Seine on November 27th, 1919. The lists were now closed and the execution of this recommendation of the Council brought to an end.

As regards the other recommendation concerning the liquidation of the property of the refugees in the two countries, tables of progress during the past year had been prepared. On December 31st, 1925, 70 claims had been liquidated; on December 31st, 1926, this number had increased to 2,481; and on February 22nd, 1927, the number was 3,157. The total number of claims was probably about 40,000.

The Council, on the recommendation of its rapporteur, expressed its appreciation of the readiness of the two Governments to supply it with information, and stated that it would be glad to receive a further report of progress at its next session.

### 2. — REQUEST OF THE ROUMANIAN GOVERNMENT UNDER ARTICLE XI OF THE COVENANT

On February 24th the Roumanian Government addressed to the Council a request, based on Article XI, paragraph 2, of the Covenant, to be heard in support of a recent decision to the effect that the Roumanian member of the Roumanian and Hungarian Mixed Arbitral Tribunal should no longer sit for the discussion of agrarian questions introduced by Hungarian nationals.

On March 8th the Council heard detailed statements on the subject by the Roumanian representative, M. Titulesco, and the Hungarian representative, M. Gajzago.

In consideration of the importance and complicated nature of the question, the Council requested Sir Austen Chamberlain (British Empire), assisted by Viscount Ishii (Japan) and M. Villegas (Chile) to make a through study of the matter and report at its next session.

### 3. — APPOINTMENT OF THE PRESIDENT OF THE GERMAN-POLISH MIXED ARBITRAL TRIBUNAL

To comply with a request from the German and Polish Governments regarding the appointment of the President of the German-Polish Mixed Arbitral Tribunal in accordance with the terms of the first paragraph of the Annex of Article 304 of the Treaty of Versailles, the Council nominated for this post M. Paul Lachenal (Swiss), President of the Grand Council of the Republic and Canton of Geneva.

(1) See *Monthly Summary*, Vol. VI, No. 12, p. 309.

The reference of this matter to the Council was due to the fact that the two Governments concerned had so far been unable to agree as to the choice of a successor to the former President, who had resigned on January 1st, 1927.

## IX. — Social and Humanitarian Questions.

### 1. — TRAFFIC IN OPIUM

The question of the traffic in opium and other dangerous drugs came before the Council in the form of reports from the Advisory Committee on Traffic in Opium and the Commission of Enquiry on Opium Production in Persia.

*Report of the Advisory Committee.* — The report of the Advisory Committee was examined and at the suggestion of the rapporteur, M. Zaleski (Poland), the necessary executive measures were taken with regard to the resolutions passed at its ninth session.

As regards the proposal of the Italian delegate to the Committee, that an extraordinary session should be summoned to discuss the question of the illicit traffic, the Council authorised the Chairman of the Committee to call such a session immediately after next Assembly, should circumstances warrant such action.

On this occasion, M. Scialoja (Italy) said that his country had repeatedly given proof of its interest in the international campaign against the illicit traffic. Considerable quantities of drugs passed through Italy, and the recent seizures in Italian ports showed the untiring activity of the Italian authorities. It was with the object of instituting a thorough investigation of the problem of smuggling, its causes and remedies, that the Italian suggestion had been made.

M. Doude van Troostwijk (Netherlands) observed that the Advisory Committee on Traffic in Opium had proposed to confine discussion at the extraordinary session to questions coming within the scope of the Hague (1912) and Geneva Conventions (1925). He associated himself with this proposal which had been endorsed by the rapporteur.

The question of the ratification of the Geneva Opium Convention being one of the most important features of the Committee's report, the Council approval a proposal to the effect that representatives of those of its members which had not yet ratified the Convention, should do their utmost to secure ratification as soon as possible; and that the same question should be brought to the attention of other Members of the League which had not ratified or adhered to it.

The Czechoslovak, French and Polish representatives informed the Council that their Parliaments were about to ratify, or had ratified, the Convention, and that the instruments would shortly be deposited with the League Secretariat. The Italian and Netherlands representatives stated that measures were being taken with a view to ratification.

In connection with observations made by the Chinese representative with regard to the source of the information on seizures of drugs received from his country, the Council expressed the hope that such information might in future be officially transmitted by the Chinese Government.

*Opium Production in Persia.* — On the proposal of its rapporteur, the Council decided to place this question on the agenda of next Assembly, and to circulate to States Members of the League, to the parties to the Opium Conventions and to the Advisory Committee on Traffic in Opium, the report of the Commission of Enquiry on Opium Production in Persia, together with the observations of the Persian Government.

Statements on the opium policy of the Persian Government were made by the Persian representative, Mustafa Gholi Khan Kemal Hedajat, and his technical adviser, Colonel McCormack (American).

The Persian Government, the latter, was prepared in principle to accept the recommendations of the Commission, with the reservation that, after the plan had been in effect for three years, the position would be reconsidered in the light of the economic and financial situation of Persia and the efforts made by other producing and manufacturing countries to curtail their output.

As regards the replacement of the opium poppy by other crops, the two most important factors to be considered were time and cost. Five or six years would elapse before production was fairly under way, and the cost of the substitution could barely be estimated with any accuracy, important irrigation and transport works being necessary.

The Government proposed to exempt from taxation land diverted from opium production, and to grant loans to cultivators reducing the area reserved for poppy-growing.

It also contemplated introducing the import certificate system subject to certain conditions.

*Appointment of Assessors to the Advisory Committee.* — On the proposal of M. Zaleski (Poland), the Council renewed for one year the appointment of M. Henri Brenier (French) and Colonel Arthur Woods, former police commissioner in New York, as assessors to the Advisory Committee on Traffic in Opium. It appointed Mr. L. A. Lyall assessor for questions concerning the Far East.

## 2. — TRAFFIC IN WOMEN AND CHILDREN (1)

The report of the Special Body of Experts studying the extent of the traffic in women and children was considered by the Council on March 9th, the Rapporteur, Sir Austen Chamberlain, briefly summarising its main features.

The report, he said, was presented in two parts, the first giving a concise account of the facts disclosed by the enquiry and a statement of the conclusions based upon them, the second a more detailed statement of evidence derived from various sources and arranged according to countries.

There were two main sources of information. The first source was official. Valuable information had been obtained by means of the replies sent by Governments in answer to the specially framed questionnaire; and much other valuable information had been given to the investigators on the spot in conversation with Government officials and others. The other main source of information was from persons connected with this traffic. The report stated that no fewer than 6,500 persons were interviewed, about 5,000 of whom were connected with commercialised prostitution. The Experts stated in their report.

We do not suggest that the statements made to the investigators by members of the underworld were in all cases accurate in every detail, but so far as was practicable they have been checked by corroborative evidence, and care has been taken not to use any material the truth of which did not appear to be established. It is believed therefore that this report presents a conservative account of the character and the distribution of the traffic as it exists at present.

No names were given in the report; the persons consulted whose statements were quoted were indicated by cipher.

The Experts pointed out that many of the cities and countries were mentioned by name in the report because it seemed to them impossible to give any useful

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(1) See *Monthly Summary*, Vol. VII, No. 2, p. 51.



account of the result of their enquiries without adopting this course; but they added :

We wish to make it clear that when countries are referred to by name it is not intended to single out any particular country or to suggest any criticism whatever of its authorities. All nations alike are equally desirous of stamping out this evil, but the circumstances of some countries undoubtedly make the task more difficult than it is for others. The possibility of further action must depend on finding the weak points in existing international machinery and in trying to strengthen it by effective co-operation.

The concluding chapter of Part I, the Rapporteur said, contained a useful summary of the evidence placed before the Experts. They had come to the conclusion that there was still a substantial traffic in women, but, owing to the precautions taken by Governments in pursuance of international conventions and otherwise, it appeared to have assumed a somewhat different character. At one time the procuration of innocent girls for prostitution in foreign countries was only too common. There seemed reason to believe that most of the women now taken abroad were prostitutes in their own country, though the traffic was by no means only in prostitutes. The Rapporteur noted that increased vigilance on the part of the authorities concerned was directly attributed to the work done by the League of Nations. At the end of Chapter 9 of Part I the Experts discussed certain remedies for the serious state of things disclosed by their investigation.

The Chairman of the Body of Experts, Dr. William Snow (American), who was present at the meeting, gave certain explanations with regard to the report. He laid particular emphasis on the fact, disclosed by the enquiry, that the concerted efforts of Governments had greatly hampered the development of the traffic, and paid a tribute to the assistance received from the Governments and officials of the countries included in the investigation.

The Council, at the suggestion of its Rapporteur, authorised the immediate publication of the first part of the report. The second part it decided to send to the various Governments for their observations. The entire report will be referred to the Traffic in Women and Children Committee—Part I for any action it may recommend, Part II for information.

It was decided to address a letter of thanks to Dr. William Snow, Chairman of the Experts; to each of the Experts; to Mr. Bascom Johnson, who was in charge of the investigations; and to the American Bureau of Social Hygiene, which had contributed the funds for the enquiry.

### **3. — APPOINTMENT OF THE PRESIDENT OF THE CONFERENCE FOR THE FOUNDATION OF AN INTERNATIONAL RELIEF UNION**

On the proposal of the Italian Representative, M. Scialoja, the Council decided to appoint a German national as President of the Conference for the Foundation of an International Relief Union summoned for July 4th, 1927, and requested its President to proceed to this nomination in agreement with his colleagues.

## **X. — Miscellaneous Questions.**

### **1. — VISIT OF PRESIDENT MASARYK TO THE LEAGUE SECRETARIAT**

The President of Czechoslovakia, Dr. Masaryk, attended a meeting of the Council in the morning of March 11th.

In the afternoon, Dr. Masaryk, accompanied by his Foreign Minister, Dr. Benes, the Czechoslovak Minister in Berne, M. Veverka, and the Czechoslovak Minister

in London, M. J. Masaryk, returned to the Secretariat, where he was received by the Secretary-General, assisted by the Deputy Secretary-General, the Under Secretaries-General, and the Directors and Chiefs of Section. He then visited the Secretariat, in particular the Treaty Department, accompanied by M. Avenol, Deputy Secretary-General.

The Czechoslovak officials of the Secretariat were presented to the President before his departure.

## 2. — CONFERENCE OF PRESS EXPERTS (1)

On March 8th, the Council, on the proposal of M. Vandervelde (Belgium), decided to convene a conference of press experts to meet on August 24th at Geneva. Effect was thus given to the proposal submitted by the Chilian delegate, M. Yanez, to the Assembly of 1925.

The Chilian representative on the Council, M. Villegas, expressed his satisfaction at this decision.

At a later meeting the Council appointed Lord Burnham, proprietor of the "Daily Telegraph" to the presidency of the Conference.

## 3. — APPOINTMENT OF AN UNDER SECRETARY-GENERAL

The Secretary-General has appointed Marquis Paulucci di Calboli Barone, former chief of cabinet in the Italian Foreign Ministry, to succeed M. Attolico as Under Secretary-General of the League of Nations. The Council approved this appointment and, on the same occasion, thanked M. Attolico for the services he had rendered the League.

M. Attolico, who has been appointed Italian Ambassador to Brazil, was a member of the Secretariat since the beginning, holding successively the posts of Director of the Transit Section (1919), Director of the Disarmament Section (1920), High Commissioner at Danzig (1920-1921), and succeeding in 1921 to M. Anzilotti as Under Secretary-General. In the latter capacity, M. Attolico was in charge of the Secretariat staff administration and internal services.

Before entering the Secretariat, M. Attolico held various important offices. He was professor of political economy at Foggia and a member of the Emigration Commission in Rome. During the war he was a member of various Inter-Allied Commissions, and, at the Peace Conference, economic adviser to the Italian Delegation.

## 4. — THE LEAGUE BUILDING COMPETITION

*Examination of the Designs.* — The Jury of Architects for the League Building Competition met at Geneva on March 25th under the chairmanship of M. Horta (Belgium) to examine the designs submitted. The competition, it will be recalled, was open to architects of all States Members of the League.

The session began with the unpacking of the designs, which at the date of opening numbered about 375. According to the rules of competition, this operation took place under the supervision and direction of the Jury. In order to have sufficient space for the exhibition of the plans, each of which consisted of a considerable number of designs, arrangements had been made by the Secretariat to adapt for the purpose the *Batiment Electoral* of the City of Geneva.

The Jury will probably sit for three weeks or a month. The exhibition of the designs will be open to the public as soon as the prizes have been awarded.

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(1) See *Monthly Summary*, Vol. VII, No. 1, p. 12.

### **XI. — Forthcoming Events.**

- April 20th : Meeting of the Malaria Commission, Paris.**
  - April 25th : International Conference on Rabies, Paris.**
  - April 25th : Meeting of the Traffic in Women and Children Committee, Geneva.**
  - April 25th : Meeting of the Permanent Committee on Road Traffic, Vienna.**
  - April 27th : Meeting of the Supervisory Commission, Geneva.**
  - April 30th : Meeting of the Child Welfare Committee, Geneva.**
  - May 2nd : Meeting of the Mixed Committee on Economic Crises, Geneva.**
  - May 4th : International Economic Conference, Geneva.**
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# FILM OF THE SEVENTH ASSEMBLY OF THE LEAGUE OF NATIONS

(Price : 150 Swiss Francs.)

The cinematograph film of the Seventh Assembly is about 300 metres in length and contains the following views :

1. Geneva, seat of the League of Nations :
  - a) General view of the town;
  - b) Harbour and Fountain;
  - c) Rousseau's Island and Mont Blanc Bridge;
  - d) Quai Wilson, with Secretariat of the League of Nations in background.
2. Secretariat of the League of Nations.
3. Sir Eric DRUMMOND, Secretary-General of the League of Nations.
4. A meeting of the Council of the League.
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Associations for the League of Nations, and others who may be interested in this film, are requested to apply for all information to M. E. Charrère, Information Section, Secretariat of the League of Nations, Geneva. The film is delivered within 10 days from the receipt of the order.

# MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

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Communications concerning the *Monthly Summary* should be addressed to the Information Section, League of Nations, Geneva.

## I. — Summary of the Month.

APRIL 1927

The principal League event in April was the meeting of the Preparatory Commission for the Disarmament Conference, which, after a session lasting more than a month, drew up in first reading a text showing the points upon which agreement had been reached, those in regard to which opinions differed, and the reservations formulated by various delegations. The Special Commission on the private manufacture of arms was also unable to agree upon a single text, but drew up for the Council a draft convention with alternate texts.

The experts on double taxation and tax evasion met in London in the beginning of the month. They drew up four draft bilateral conventions—two on double taxation and two on tax evasion. A special committee of jurists also prepared a draft international agreement for the enforcement of foreign arbitral awards in commercial matters.

There were meetings of the Committee of Experts on the progressive codification of international law, of the Advisory Commission on the Protection and Welfare of Children and Young People, of the Maritime Tonnage and Road Traffic Committees, and of committees on the coordination of bibliography and libraries.

## II. — The Permanent Court of International Justice.

### 1. — THE CHORZOW CASE (INDEMNITIES) <sup>(1)</sup>

The Polish Government has informed the Court that it intends to raise a preliminary objection to the Court's jurisdiction in the new proceedings instituted against it by the German Government in connection with the dispute concerning the damages which that Government claims is due by Poland to the Oberschlesische Stickstoffwerke and Bayerische Stickstoffwerke Companies. In accordance with Article 38, paragraph 3, of the revised Rules of Court, the President of the Court has fixed the time within which the German Government may submit in writing its observations and conclusions in regard to the objection taken, which has been placed on the list for the next ordinary session.

Availing itself of the right conferred upon it by Article 31 of the Court's Statute, the Polish Government has appointed M. Louis Ehrlich, professor of international law at the University of Lwów, to sit as judge *ad hoc* in the case in question.

According to a communication made by the Polish Legation at the Hague, Dr. Thadée Sobolewski has been appointed as Polish agent for the case.

### 2. — THE JURISDICTION OF THE EUROPEAN COMMISSION OF THE DANUBE <sup>(2)</sup>

The President, complying with a request of the Roumanian Government for a further extension of the time allowed for the submission of written statements by the Governments in connection with this question, has decided to extend this time until April 12th. On that date, the British, French and Roumanian Governments had availed themselves of the opportunity afforded to States especially interested in the question to submit written memoranda on the points referred to the Court for advisory opinion.

The Government of the French Republic has appointed Professor Basdevant, Assistant Legal Adviser to the Ministry for Foreign Affairs, to furnish the Court with all information in regard to the question, whilst the Roumanian Legation at the Hague has announced that M. G. Contzesco, Minister Plenipotentiary, delegate for the International Commissions of the Danube, will act as Roumanian agent in this question.

### 3. — INFORMATION CONCERNING INTERNATIONAL AGREEMENTS GOVERNING THE COURT'S JURISDICTION

In reply to the requests addressed to them by the Registrar of the Court, with a view to enabling him to complete and keep up to date the collection of clauses

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<sup>1)</sup> (2) See *Monthly Summary*, Vol. VII, No. 2, p. 37.

of treaties and international agreements governing the Court's jurisdiction <sup>(1)</sup>, several Governments have already supplied the Registry with certain data—accompanied in some cases by the text of international conventions. The letter, dated April 20th, of the Netherlands Foreign Minister deals in a comprehensive manner with the various suggestions made by the Registrar on this subject and contains the following passages amongst others; "In accordance with your wish I shall send you regularly the text of any new agreements concluded by the Netherlands Government and containing any clauses concerning the jurisdiction of the Court. I have no objection to the text of treaties being communicated to you even before their coming into force. Similarly, I shall not fail to keep you informed from time to time regarding changes which may subsequently occur with regard to such agreements and in particular regarding the ratification of signed convention".

.....  
"For the moment, the Netherlands Government does not happen to be the depository of any collective conventions conferring jurisdiction upon the Court in regard to certain points, but should circumstances alter, I will bear in mind your request in regard to this matter".

The reply of the Department for Foreign Affairs of the Austrian Federal Chancery, dated April 15th, 1927, is couched in similar terms.

### III. — The Reduction of Armaments.

#### 1. — THIRD SESSION OF THE PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE <sup>(2)</sup>

The Preparatory Commission for the Disarmament Conference met at Geneva from March 21st to April 26th, under the chairmanship of M. Loudon (Netherlands). It held thirty-nine meetings, which were all public.

This session was entirely devoted to an examination of two draft conventions, submitted by the British and the French delegations. These texts had been prepared in order to facilitate the establishment of a single text to serve as a basis for the discussions of the future Disarmament Conference.

In his opening speech the Chairman drew attention to the difficulties of the problem and to the necessity of approaching the question of the reduction and limitation of armaments in a spirit of collaboration, conciliation and even compromise. The task of the Commission, he said, was to achieve positive results, establish general agreements, furnish the groundwork of a convention, and, if possible, draw up the text of a draft convention which would simplify the work of the General Conference.

To facilitate the debate, the Bureau of the Commission prepared a synoptic table of the provisions of the British and French drafts, shewing the points of similarity and dissimilarity between them. This analysis formed the starting-point of the discussions of the Commission.

After a general debate, in the course of which the delegations explained the views of their Governments, the Commission began its study of the various forms of limitation for military, naval and air armaments, proposed in the British and French drafts and by other delegations.

The Commission endeavoured to draw up a text which could serve as a basis for discussion at the second reading <sup>(3)</sup>. Owing to the difficulties inherent in the problem, it did not succeed in establishing a single text for all the points discussed, and confined itself to indicating the points on which unanimity had been obtained,

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(1) See *Monthly Summary*, Vol. VII, No. 1, p. 4.

(2) See *Monthly Summary*, Vol. VII, No. 3, p. 59.

(3) See Annex to this number, p. 105.

as well as the reservations submitted by the various delegations on certain specific points. Where it was not possible to establish a unanimous text, the Commission gave the different proposals submitted. It was generally understood that these texts were not intended to outline the attitude adopted by the various delegations, and that, for information on this subject, reference should be made to the Minutes.

The text drawn up by the Commission is, above all, a document for study, to serve as a basis for future work. It is divided into five chapters, dealing with Effectives; Material; Budgetary Expenditure; Chemical Warfare, and Miscellaneous Provisions, and is preceded by an introduction explaining the circumstances in which it was established.

At the close of the session the Commission decided to forward its conclusions to the Council, and to meet later on—probably in November—to discuss in second reading the text drawn up.

The Chairman, M. Loudon, observed that, for the first time in the history of the world, the problem of the limitation of armaments had been approached as a whole and by practical methods. He recalled that the sole duty of the Commission was to prepare the work of a Conference for the reduction and limitation of armaments as provided for in Article VIII of the Covenant. "What is essential", he said, "is that, having cleared the ground and accomplished our first stage, we should meet again as soon as the ideas expressed here have ripened, Governments have had time for reflection, and the more intelligent section of public opinion has pronounced its verdict."

## 2. — SUPERVISION OF THE PRIVATE MANUFACTURE OF ARMS

The special Commission appointed by the Council to prepare a preliminary draft convention on the supervision of the private manufacture of arms met at Geneva on April 25th, under the chairmanship of Count Bernstorff (Germany), to consider the work of the sub-commission set up at its preceding session <sup>(1)</sup>.

This sub-commission had held a short meeting at Geneva in April with instructions to prepare, as a basis of discussion for the Commission, a new text taking into consideration the amendments proposed by the Belgian, British, Italian, Japanese and Netherlands delegations.

The Commission noted that its sub-commission had been unable to submit a single text owing to fundamental differences of opinion in regard to the very principle of supervision, certain delegations aiming at the supervision of the private manufacture alone, others contending that such supervision should be reinforced by publicity on state manufacture as well.

In these circumstances, the Commission decided to forward to the Council a preliminary draft of the alternate texts compiled by its sub-commission, and to draw attention to the close connection between this question and that of disarmament in general. It further recommended that the Council should pursue its study of the question of the private manufacture of arms on parallel lines to the work of the Preparatory Commission for the Disarmament Conference. It abstained from expressing an opinion as to the date of a conference on the private manufacture of arms.

## IV. — Legal and Constitutional Questions.

### 1. — INTERNATIONAL ENGAGEMENTS

#### a) *Registration.*

Among the treaties and international agreements registered in April figure :

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(1) See *Monthly Summary*, Vol. VII, No. 3, p. 58.



Treaties of arbitration and conciliation between Austria and Sweden (May 28th, 1926) and Denmark and Poland (April 23rd, 1926), presented for registration by the Swedish and Danish Governments respectively;

Commercial arrangements and agreements between Denmark and Turkey, Greece and the Netherlands and Greece and Egypt;

An agreement (November 1st, 1926) between Hungary and Roumania, with an Annex and Protocol of Signature, concerning the Arad Csanad Railway <sup>(1)</sup>, presented for registration by the Hungarian Government;

A Treaty of friendship, commerce and navigation between Italy and Siam (Rome, May 9th, 1926), with a Protocol concerning the judicial regime to be applied to Italian subjects in Siam, presented for registration by the Italian Government.

A Protocol modifying the Convention between Estonia and Latvia (Riga), October 19th, 1920) concerning their frontier and the rights of citizens residing in the frontier zones, and the Supplementary Convention concerning frontier questions concluded at Tallinn on November 1st, 1923, with an exchange of notes relating thereto (Tallinn, February 23rd, 1927), presented for registration by the Estonian Government.

#### b) *Ratification.*

The instrument of ratification of the Convention for the Suppressing of the Traffic in Obscene Publications (Geneva, September 12th, 1923), was deposited by the Czechoslovak Government on April 11th.

### 2. — THE PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW <sup>(2)</sup>

The third annual session of the Committee of Experts for the Progressive Codification of International Law was held at Geneva from March 22nd to April 2nd with M. Hammarskjöld (Sweden) in the chair.

The work of the Committee during this session may be summarised as follows :

1. The Committee considered replies from about thirty Governments to questionnaires submitted to them for their opinion on the following subjects : conflict of laws in the matter of nationality, territorial waters, diplomatic privileges and immunities, the responsibility of States for damages done in their territories to the person or property of foreigners, the procedure of international conferences and procedure for the conclusion and drafting of Treaties, suppression of piracy, and the exploitation of the products of the sea.

In its report to the Council the Committee, considering that these questions were ripe for regulation in the near future by international agreement, recommended that one or more conferences should be convened. It drew up a special report on the procedure which might be adopted in preparing such conferences.

2. The Committee decided to address to Governments, for their observations, questionnaires on the following subjects, referred at its preceding session to its sub-committees : communication of judicial and extra-judicial acts and letters rogatory in penal matters, the legal position and functions of consuls, the revision of the classification of diplomatic agents, and the competence of Courts in regard to foreign States.

The Netherlands Government having placed on the agenda of future conferences on international private law the question of the nationality of commercial corporations and that of the recognition of the legal personality of foreign commercial corporations, the Committee decided not to issue questionnaires, but to submit to the Council special reports on these two subjects. A report on the question of the most-favoured-nation clause was communicated to Governments for information.

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(1) See *Monthly Summary*, Vol. VI, No. 12, p. 308.

(2) See *Monthly Summary*, Vol. VII, No. 3, p. 62.

3. The examination of three other questions was, for various reasons, postponed until the next session of the Committee, namely : the legal status of private non-profit making international associations and private international foundations, the conflict of laws on the matter of domicile, and the application in international law of the conception of prescription.

Before referring further questions to its sub-committees, the Committee expressed the desire to learn what action would be taken by the Council as a result of its work.

At the request of the Council, the Committee drew up an opinion concerning the admissibility of reservations when signing international general conventions. The date of the next session will be fixed later.

## V. — Technical Organisations.

### 1. — THE HEALTH ORGANISATION

#### a) *Meeting of the Joint Commission on Health Insurance and Public Health Administration.*

A joint Commission of Experts set up by the Health Committee in February, 1927 <sup>(1)</sup>, met in Geneva on April 11th and 12th to consider the most effective methods of collaboration between Health Insurance Organisations and the Public Health Services in the field of preventive medicine.

Half the members of the Commission represented the Public Health Services and were nominated by the League Health Committee; the other half, representing Health Insurance Organisations, were selected by the Governing Body of the International Labour Office. There were present :

#### *Members nominated by the Health Committee of the League of Nations :*

*Chairman* : Sir Georges Newman, chief Medical Officer, British Ministry of Health;

Dr. E. Bellencontre, President of the *Association générale des Médecins de France* ;

Dr. C. Hamel, President of the *Reichsgesundheitsamt* ;

Dr. A. Foramitti, Deputy Director of the Federal Public Health Service of Austria;

Professor Kitashima, Chairman of the Council of the Japanese Medical Association;

Dr. J. Kuhn, Editor-in-chief of the *Ugeskrift for Lager*.

#### *Members nominated by the Governing Body of the International Labour Office :*

Dr. A. Grieser, Director in the Ministry of Labour (Germany);

M. A. Jauniaux, Senator, Secretary-General of the *Union nationale des Fédérations de mutualité socialistes* (Belgium);

M. L. Olivier, Member of the Executive Committee of the *Fédération nationale de la Mutualité* (France);

M. K. Osiewsky, Director of the Central Union of Health Insurance Funds (Poland);

Mr. E. Potts, Honorary Secretary of the National Association of Insurance Committees (Great Britain);

Dr. L. Winter, former Minister for Social Welfare, Vice-President of the Central Union of Health Insurance Funds (Czechoslovakia).

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(1) See *Monthly Summary*, Vol. VII, No. 2, p. 43.

After an exchange of views on the general principles of preventive medicine with particular reference to two of its aspects—Public Health and Health Insurance—the Commission decided that further co-operation and co-ordination were desirable between Public Health and Social Insurance in this connection, and recommended that surveys should be made in selected countries of certain aspects of both these services, such enquiries to be supervised by members of the Commission. It also recommended that certain subjects should be specially studied, namely :

1. Education of the insured in hygiene,
2. Protection of maternity, infancy and the child of pre-school age,
3. Prevention of tuberculosis,
4. Prevention of venereal diseases,
5. Protection of the child of school age.

and referred to sub-committees composed as follows :

Education of the insured in Hygiene . .	Dr. Hamel, M. L. Olivier.
Protection of Maternity, Infancy and the Child of Pre-school age. . . . .	Dr. A. Foramitti, Dr. L. Winter.
Prevention of Tuberculosis. . . . .	Dr. Hamel, Professor Kitashima, M. A. Jauniaux, M. Osowski.
Prevention of Venereal Diseases. . . .	Dr. E. Bellencontre, Dr. Grieser.
Protection of the Child of School age. .	Dr. Kuhn, Mr. E. Potts.

These recommendations were embodied in a report and forwarded to the League Health Committee and the Governing Body of the International Labour Office.

b) *Interchange of Medical Officers of Health.*

The final Conference of an interchange of medical officers, which began in Great Britain on February 21st, was held in Geneva on April 14th. It was attended by medical officers from Belgium, China, Czechoslovakia, Germany, Italy, Lithuania, Poland, Rumania, the Kingdom of the Serbs, Croats and Slovenes and Sweden.

c) *Sleeping Sickness in central Africa.*

The Spanish Government has informed the Secretary-General of its decision to contribute 5000 pesetas towards the expenses of the Sleeping Sickness Commission in 1927.

The Council had in December expressed the desire that Governments which had assisted the Commission financially in 1926 would continue to do so, in order to enable it to continue its work for a further period of six months.

The British, Belgian, French, Italian, Portuguese and Sudan Governments have also agreed to continue to contribute towards the expenses of the Commission.

2. — THE ECONOMIC AND FINANCIAL ORGANISATION

a) *Double taxation and tax evasion* <sup>(1)</sup>.

The Committee of Experts on Double Taxation and Tax Evasion met in London from April 6th to April 12th to examine the possibility of preparing draft conventions based on the resolutions adopted in February 1925 <sup>(2)</sup>.

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(1) See *Monthly Summary*, Vol. VII, No 1, p. 7.  
(2) See *Monthly Summary*, Vol. V, No. 2, p. 47

Four draft conventions were drawn up—two on double taxation (for the prevention of double taxation in direct impersonal or personal taxes, and in succession duties) and two on tax evasion (on administrative assistance in matters of taxation and judicial assistance in the collection of taxes).

The Committee discussed the question whether these conventions should be collective or bilateral. It considered that, although it would certainly be desirable that States should conclude collective conventions or a single convention embodying all the others, it did not feel justified in recommending the adoption of this course. In its report to the Financial Committee, the Committee gave the following reasons for this conclusion :

In the matter of double taxation in particular, the fiscal systems of the various countries are so fundamentally different that it seems at present practically impossible to draft a collective convention, unless it were worded in such general terms as to be of no practical value. In the matter of tax evasion also although unanimity would not seem to be unattainable there is no doubt that the accession of all countries to a single Convention could only be obtained as the result of prolonged and delicate negotiations, while there is no reason to delay the putting into force of bilateral conventions which would immediately satisfy the legitimate interests of the tax-payers as well as those of the Contracting States.

For this reason, the Committee preferred to draw up standard bilateral conventions, considering that, if these texts were used by Governments, a certain measure of uniformity would be introduced in international fiscal law and, at a later stage, a system of general conventions might be established which would make possible the unification and codification of the rules previously laid down.

The Committee drew attention to the difficulties inherent in the two-fold problem submitted to it. Double taxation, it recalled, affected mainly undertakings and persons exercising their trade or profession in several countries or deriving their income from countries other than the one in which they resided. It imposed on such taxpayers burdens which, in many cases seemed truly excessive, if not intolerable. It tended to paralyse their activity and to discourage initiative, and thus constituted a serious obstacle to the development of international relations and world production.

At the same time, any excessive taxation, by its very burden, brought in its train tax evasion; the suppression of double taxation was therefore closely connected with the measures for the systematic prevention or checking of such evasion. The Committee concluded that it was for this twofold purpose that efforts would have to be made to secure international cooperation with a view to making it possible to put a stop to an evil which had become especially acute owing to the increase in the fiscal burdens consequent upon the war; the measures advocated by the experts could not fail to bring about a reduction in, and a better distribution of such burdens.

The Committee endeavoured to reach complete agreement on all essential points. In view of the diversity of fiscal systems, of the different economic interests and the divergent conceptions both in regard to theory and to practice obtaining in the various countries, unanimous agreement could not be reached in regard to all the questions which had to be dealt with. Points on which complete understanding could not be arrived at were left for negotiation and decision to any States seeking to conclude bilateral treaties.

In order to arrive at practical results with the least possible delay and at the same time not to exceed its instructions, the Committee refrained from examining in detail several co-related questions of international law, such as the doctrine of reciprocity, the treatment of foreign nationals, and the principle of the most-favoured nation in their relation to the problem of double taxation.

The Committee was of opinion, however, that these problems should be submitted to a detailed examination from the financial, economic and legal points of

view. It considered moreover, that the fiscal laws throughout the world would undergo a gradual evolution and that this would, in the future, make it possible to simplify the measures recommended and even to unify fiscal legislation. •

In order to make systematic and continuous international co-operation possible in this field, the Committee suggested that a permanent organisation for taxation questions should be set up under the auspices of the League.

The principal task of this body would be to hasten the solution of the problems of double taxation and administrative and judicial assistance. It might, in particular, give its attention to the following points :

(1) Periodical investigations and reports on the general situation in regard to these problems;

(2) The preparation of model bilateral conventions or collective conventions and revised texts thereof;

(3) The preparation of any other international measures calculated to eliminate double taxation and to secure a more equitable distribution of fiscal burdens;

(4) Comparison of fiscal systems;

(5) Preparation of general Conferences.

The task of the Committee of Experts came to an end with the submission of the four above-mentioned draft conventions. The experts were nevertheless of opinion that the completion of those Conventions by no means solved the problems of double taxation and administrative and judicial assistance, nor would even the approval of the Conventions by a general Conference have that result. The preliminary work done and the texts which have been established were only the first step.

The Committee was composed as follows :

- Argentina* : M. Julian ENCISO, Councillor of Legation, Geneva.
- Belgium* : M. Ch. CLAVIER, Director-General of Direct Taxation and Land Survey in the Ministry of Finance.
- Czechoslovakia* : Dr. Bohumil VLASAK, Minister Plenipotentiary, Head of Department in the Ministry of Finance.
- France* : M. BORDUGE, Councillor of State, Director-General of Taxation and Registration, Ministry of Finance.
- Germany* : Dr. Herbert DORN, Director in the Ministry of Finance.
- Great Britain* : Sir Percy THOMPSON, Vice-President, Board of Inland Revenue.
- Italy* : Professor Pasquale d'AROMA, Vice-governor of the Bank of Italy; late Director General in the Ministry of Finance.  
Assistant : Dr. Gino BOLAFFI, Head of Section in the Ministry of Finance, Department of Direct Taxation.
- Japan* : Mr. Takashi AOKI, Representative in London of the Bank of Japan.  
Assistant : TA KEUCHI, Japanese Delegation to the Reparation Commission.
- Netherlands* : Dr. J. H. R. SINNINGHE DAMSTE, Director-General of Taxation.  
For Colonial questions :  
Dr. Van der WAALS, Director in the Colonial Department.
- Poland* : Professor Stefan ZALESKI, Professor of Political Economy at the University at Posen.  
Assistant (for questions of succession duty) : M. Edouard WERNER, Head of Department, Ministry of Finance.
- Switzerland* : Dr. Hans BLAU, Director of the Federal Taxation Department.
- United States of America* : Professor Thomas S. ADAMS, President of the American Economic Association, former Economic Adviser to the U. S. A. Treasury Department, Professor at Yale University.  
Assistants :  
Mr. Mitchell B. CAROLL, Chief Tax Section, Department of Commerce.

Miss Annabel MATTHEWS, Attorney, attached to the Board of Inland Revenue, Treasury Department.

(The members of the Committee, although nominated by their respective Governments, acted only in expert capacity.)

The International Chamber of Commerce was represented in an advisory capacity by Sir Algernon Firth, ex-President of the Association of British Chambers of Commerce, member for Great Britain on the Double Taxation Committee of the International Chamber of Commerce, Chairman of the Committee on Double Taxation of the British National Committee of the International Chamber of Commerce.

b) *Execution of Foreign Arbitral Awards* <sup>(1)</sup>.

At a meeting held at Geneva from March 28th to April 4th, the Committee of legal experts studying the question of an international agreement for the enforcement of foreign arbitral awards in commercial matters drew up a draft protocol designed to complete that of September 24th, 1923.

The latter Protocol did not provide for the execution of all arbitral awards made in virtue of a compromise or arbitration clause, but only for the enforcement by the Contracting Parties of awards made in their Territories.

The new Protocol, which will be open only to signatories of the Protocol of 1923, provides that the Contracting Parties shall recognise the validity and, subject to certain conditions including the submission of specified documents, ensure the execution, of arbitral awards made in the territories of other Contracting Parties. The rules for the coming into force of the Protocol, adhesions and denunciations are similar to those for the Protocol of 1923.

This draft, which is calculated to render appreciable services to business circles, is designed to facilitate the prompt enforcement of foreign arbitral awards. It is hoped that this new Protocol may be the means of securing the ratification by States which the above mentioned omission has so far prevented from doing so.

### 3. — COMMUNICATIONS AND TRANSIT

a) *Road Traffic.*

The fourth Session of the Permanent Committee on Road Traffic was held in Vienna, from April 25th to April 28th, at the Ministry of Commerce and Communications. There were present :

M. Stievenard (Belgium), Chairman; M. Biefeldt, of the Danish Ministry of Justice; M. Chaix, President of the *Conseil central du tourisme international* (Paris); M. Delaquais, Head of the Police Division at the Swiss Federal Department of Justice and Police; Mr. Franklin of the Roads Department of the British Transport Ministry; M. Mellini, Chief Inspector of Railways, Tramways and Automobiles (Italy); M. Pflug, of the German Ministry of Communications; M. Reinhardt (Austria); M. Schoenfeld, Administrator at the Netherlands *Waterstaat* <sup>(2)</sup> Ministry; and M. Walchenaer, Inspector-General of Mines at the French Ministry of Public Works.

The Committee took note of the results of the diplomatic Conference held in April 1926 in Paris, information having been received that up to the present Spain and Egypt had ratified the international Motor Traffic Convention.

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(1) See *Monthly Summary*, Vol. VII, No. 3, p. 64.

(2) The *Waterstaat* Ministry deals with all questions concerning rivers, dykes, etc.

As regards the question of the unification of road traffic regulations in the various countries, the Committee was of the opinion that, in the interests of safety, the endeavours made with a view to the unification of the "rule of the road" should be supported. It considered that such unification might be realised in a not too distant future, as far as continental Europe was concerned, and adopted a resolution recommending the general adoption of right-hand traffic as the most expedient and feasible solution of the problem in European States, this rule having already been applied by the majority of these States.

The Committee also examined the question of road signals, noting that it did not seem necessary to increase the number of danger signals contemplated in the Paris Convention of 1926. This Convention provides that signs used to indicate danger passages shall be of a triangular form, and the Committee considered it extremely desirable that this form should not be used for other signals.

It was recommended that signs shewing the speedlimit allowed on certain roads should be rectangular with a minimum side length of 60 centimetres. For all other road traffic signals, the Committee suggested that discs of a minimum diameter of 60 centimetres should be used.

The Committee also studied the question of urban traffic signals and discussed the various systems in force as regards signals to be given by traffic police.

#### b) *Meeting of the Technical Committee for Maritime Tonnage Measurement.*

The Technical Committee for Maritime Tonnage Measurement held its first session in London from April 5th to April 8th. The meeting was attended by Captain L. Aall, Principal Tonnage Surveyor in the Norwegian Finance Ministry; Mr. F. W. Bickle, Principal Tonnage Surveyor at the Board of Trade (London); M. van Driel, Consulting Engineer to the Netherlands Navigation Inspection Service; and M. Rottmann, chief adviser to the German Tonnage Service.

The Committee considered all questions relating to gross tonnage except those concerning open shelter-deck vessels and open superstructures. These two points will be examined when the Committee meets again in July, at which moment it will also begin to study net tonnage problems.

### 4. — INTELLECTUAL COOPERATION

#### a) *Coordination of Libraries.*

The Committee of Experts appointed by the Committee on Intellectual Cooperation to study the question of the coordination of libraries met in Paris on April 7th. Several of the most important libraries of the world were represented at this meeting by their directors, for instance, the *Bibliothèque Nationale* by M. Roland Marcel; the Bodleian Library by Dr. Cowley; the Library of Congress (Washington) by Mr. Dawson Johnston; the Prussian National Library by M. Kruss, and the Swiss National Library by M. Godet. Mr. Bishop attended the meeting, in the capacity of observer, on behalf of the American Library Association.

The object of this meeting was to enable intellectual workers to utilise the resources of foreign or distant libraries. It not infrequently happens that intellectual workers either do not dispose of sufficient information as to the works contained in such libraries, or are prevented for various reasons from making use of them.

The experts proposed that the Institute of Intellectual Cooperation should organise an International Coordination Service, whose first duty would be to bring about the creation in each country of a National Library Coordination Service, such as already exists in the United States, Germany and, more recently, in France.

The International Service, assisted by the National Services, would endeavour to facilitate loans and exchanges between the libraries of the various countries, promote the organisation of an Information Service (libraries, copies and photographs) in all libraries which do not already possess one, and, finally, direct intellectual workers to the libraries containing the most suitable material for their studies. More than four hundred libraries have already responded to the appeal of the Institute and have expressed their willingness to cooperate in the proposed organisation.

b) *Coordination of the Bibliography of Biological Sciences.*

A meeting of experts for the coordination of the bibliography of biological sciences was held on April 7th and 8th in Paris, at the Institute of Intellectual Cooperation. Mademoiselle Bonnevie, Member of the Committee on Intellectual Cooperation, took the Chair.

The experts examined the present situation as regards bibliography in this field, together with the measures which might be taken to facilitate research work in general biology, zoology, botany, systematic zoology and botany, physiology, anatomy, embryology, micro-biology, parasitology and genetics.

The work of the experts will be followed by an enquiry among authoritative circles in the various countries. The Institute of Intellectual Cooperation will then be in a position to enter into relations with persons interested in the different branches and to summon a fresh meeting in order to organise the proposed coordination by means of an agreement between reviews dealing with biological sciences.

c) *Meeting of representatives of International Students' Organisations* (1).

The second session of the Committee of Representatives of International Students' Organisations was held at Geneva from April 11th to April 13th, under the chairmanship of M. de Reynold, professor at Berne University and member of the Committee on Intellectual Cooperation.

This Committee, it will be recalled, was convened for the first time in 1926, under the auspices of the Committee on Intellectual Cooperation for the purpose of ensuring the coordination and a more rational division of the work of the international students' organisations.

At this session the Committee discussed a proposal regarding the creation of a central international office. It decided that, for the time being, this office should be set up in connection with the International Institute of Intellectual Cooperation and that it should include one delegate from each of the international students' organisations.

Reports from the International Confederation of Students on travelling facilities and an international identity card for students and the question of the equivalence of degrees and studies were also examined. As regards the latter question, the material collected by the International Federation of University Women and the International Confederation of Students' will be completed by these organisations and the Institute of Intellectual Cooperation. The Committee will resume its examination of this question at a future session.

The Committee noted various reports on the methods of mutual assistance employed by students' organisations, and instructed the International Student Service to submit at a later meeting a complete report on the results achieved in this domain. It also considered the possibility of founding a sanatorium for students.

As regards the question of the excess of supply over demand as far as intellectual labour is concerned and that of unemployment among holders of University Degrees, the Committee recommended that the International Labour Office should persist in its endeavours to solve these problems.

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(1) See *Monthly Summary*, Vol. VI, No. 4, p. 99.



The organisations represented at the meeting were : the International University Federation for the League of Nations, the World Union of Jewish Students, the International Federation of University Women, the International Student Service, the World Student Christian Federation, "Pax Romana", the International Students' Confederation and the *Auslandsamt der deutschen Studentschaft* (in an advisory capacity). The International Labour Office was represented by Mr. G. A. Johnston and the Institute of Intellectual Cooperation by Professor Zimmern and M. F. Micheli.

## VI. — Administrative Questions.

### STORAGE AND TRANSPORT OF WAR MATERIAL IN THE TERRITORY OF THE FREE CITY OF DANZIG

The Permanent Advisory Commission on Military, Naval and Air Questions met in Geneva on April 6th to consider a question referred to it by the Council, namely, whether the League High Commissioner at Danzig might be authorised to deal on behalf of the Council with applications concerning the transit through Danzig of war material consigned to countries other than Poland.

The Commission drew up for the Council a unanimous report to the effect that, from the technical point of view, it saw no objection to this procedure, pointing out, however, that it was desirable that the Council should be informed of the results of the applications.

## VII. — Social and Humanitarian Questions.

### MEETING OF THE ADVISORY COMMITTEE ON THE PROTECTION AND WELFARE OF CHILDREN AND YOUNG PEOPLE

The annual session of the Advisory Commission on the Protection and Welfare of Children and Young People opened on April 25th in Geneva and continued during the first week of May.

The first of the two Committees into which the Commission is divided—the *Traffic in Women Committee*—began work on April 25th. Its agenda included the examination of the first part of the report of the Special Body of Experts on the traffic in Women, the annual reports of Governments on the application of the measures adopted for combating the traffic, information furnished by Governments on the employment of women police, reports submitted by charitable organisations, periodical reports of Governments on measures taken to abolish the traffic in obscene publications, etc.

The *Child Welfare Committee* met on April 30th to consider the following questions : the protection of life and health in early infancy, laws relating to the age of marriage and consent, family allowances in their relation to child welfare, the effects of the cinematograph on the mental and moral health of children; two draft international conventions, one on the assistance and repatriation of foreign minors, the other on the enforcement of awards regarding the sums owing to children by persons responsible for their maintenance, living abroad; measures for the assistance of unmarried mothers, the protection of illegitimate children and the problem of the blind child.

The meeting was attended by :

*A. Delegates nominated by Governments.* — Count Carton de Wiart (Belgium); Dr. Estrid Hein (Denmark); Mr. S. W. Harris (British Empire); Don Pedro Sangro y Ros de Olano (Spain); M. Regnault (France); Marquis Paulucci di Calboli (Italy); M. Ito (Japan); M. Posner (Poland); M. Comnène (Roumania); Dr. Gertrud Bäumer (Germany).

*B. Assessors on Traffic in Women.* — The Rev. R. Hoffmann de Visme (International Bureau for Suppression of Traffic in Women and Children); M<sup>me</sup> Avril de Sainte-Croix (Women's International Organisations); M<sup>me</sup> de Montenach (Association Catholique internationale des œuvres de protection de la jeune fille); M<sup>me</sup> Curchod-Secretan (International Federation of Girls' Friendly Societies); M. S. Cohen (Jewish Association for the Protection of Girls and Women).

*C. Assessors on Child Welfare.* — M. Henri Rollet (International Child Welfare Association); Dr. Humbert (League of Red Cross Societies); Dame Katherine Furse (International Organisation of Boy Scouts & Girl Guides); Miss Eglantyne Jebb (Save the Children Society); Miss Eleanor Rathbone (Women's International Organisations); M. Varlez and Mr. Johnson (International Labour Office); (Health Organisation of the League of Nations); Miss Julia Lathrop (National Conference of Social Work [United States]); Mademoiselle Burniaux (Federation of International Trades Unions); M. Gonzague de Reynold (International Committee for Intellectual Co-operation).

As the Commission was still sitting at the end of the month an account of the session will be given in the next number.

## VIII. — Miscellaneous Questions.

### MEETING OF THE SUPERVISORY COMMISSION

The League Supervisory Committee met at Geneva from April 27th to April 30th with M. Osusky (Czechoslovakia) in the chair.

There were further present :

M. Reveillaud (France), Lord Meston of Agra (India), M. Nederbragt (Netherlands) and M. Parra-Perez (Venezuela).

The Commission examined the Budget for 1928 and the audited accounts for 1926 of the League Secretariat, the International Labour Office and the Permanent Court of International Justice.

## IX. — Forthcoming Events.

May 16th : Meeting of the Committee on Statistics in Inland Navigation, Geneva.

June 8th : Meeting of the Financial Committee, Geneva.

June 13th : Forty-Fifth Session of the Council, Geneva.

June 15th : Twelfth Ordinary Session of the Permanent Court of International Justice, The Hague.

June 17th : Meeting of the Committee of Experts on National Defence Budgets, Geneva.

June 20th : Meeting of the Permanent Mandates Commission, Geneva.

June 23rd : Meeting of the Mixed Committee of Experts on the Counterfeiting of Currency, Geneva.

ANNEX

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PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE

Third Session.

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TEXTS ADOPTED AT FIRST READING

The Preparatory Commission for the Disarmament Conference examined, in the course of its third session, the reports submitted to it by technical Sub-Commissions with regard to the questionnaire it had been instructed to study. The Commission was of the opinion that these preliminary investigations were such as to permit it to undertake forthwith the study of a Draft Convention. Its task was facilitated by the fact that preliminary drafts had been submitted to it by the British and French delegations.

The Commission has endeavoured, during the present session, to draw up a text which could serve as a basis for discussion at the second reading. It has not succeeded in establishing a single text for all the points discussed. The present document shows separately for each of the parts the points on which unanimity was obtained, as well as the reservations submitted by the various delegations on certain specific points. Where it has not been possible to establish a unanimous text this document gives the different proposals submitted. It has been generally understood that the acceptance of each delegation at first reading does not prejudice the attitude it might adopt at the second reading and does not bind it any way.

In the course of the discussion, several suggestions and proposals were put forward, either in order to meet exceptional situations, or with a view to inserting into the Convention limitations or general clauses other than those which had been unanimously adopted at the first reading by the Commission or which had been put down as parallel texts. These proposals and suggestions are reproduced in the minutes of the Commission. It is understood that each delegation retains full freedom to reconsider at the second reading such suggestions or proposals and to put forward fresh ones.

The discussion seems to suggest that it might be advisable to classify the matter into five parts, which might constitute the five Chapters of the Draft Convention as a basis for the second reading.

- Chapter I. — Effectives.
- Chapter II. — Material.
- Chapter III. — Budgetary Expenditure.
- Chapter IV. — Chemical Warfare.
- Chapter V. — Miscellaneous Provisions.

This division is, of course, liable to alteration at the second reading.

The Commission annexes to the present report a table of the texts. When a text has encountered no opposition from any delegation, it has been printed right across the page. The reservations which delegations have asked to have inserted have been placed in the margin.

When only a single text was submitted and one or more delegations formally opposed its adoption, it has been printed on the left-hand side of the page, the right-hand column being left blank. The delegation or delegations under whose authority this text was submitted have been indicated. No attempt has been made to define the position of the others, and only the observations and declarations which delegations have formally requested to have inserted have been placed in the margin. When, at the end of the discussion at the first reading, several texts have remained in being, they have been inserted in parallel columns, the delegation or delegations under whose authority the text was submitted being indicated at the head of each column. As in the previous case, no attempt has been made to define the position of the delegations which did not formally submit a text, and here too only the formal observations or declarations have been inserted.

PREAMBLE.

(British Draft)

Names of the High Contracting Parties.

Persuaded that the maintenance of peace requires the reduction of armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations;

Considering that all Members of the League of Nations are already pledged by Article 8 of the Covenant of the League to the acceptance of the principle enunciated above :

Realising that the purpose of the limitation of armaments by international agreement is to diminish the risk of aggressive action by one State against another and that all agreements for limitation of armaments should be construed in the light of that purpose;

Believing that, in order to obtain the greatest possible advantage from a reduction and limitation of armaments, such reduction and limitation must cover military, naval and air armaments and must embrace as many nations as possible;

Determined to alleviate to the greatest possible extent the heavy burden which expenditure on armaments is imposing upon the economic life of the world, and thus lowering its standard of living;

Have resolved to conclude a Convention with a view to accomplishing these purposes and have appointed as their plenipotentiaries :

The President . . . . .

Who, having communicated their full powers, found in good and due form, have agreed as follows :

(French Draft)

List of High Contracting Parties.

In view of Article 8 of the Covenant of the League of Nations;

Whereas the reduction of armaments must be in accordance with general conditions of security and the special conditions of each State;

And Whereas the Treaty of Mutual Assistance and the Protocol for the Pacific Settlement of International Disputes, which were intended to define more precisely the operation of Article 16 of the Covenant of the League of Nations, have not been applied;

And whereas the general guarantees resulting from the Covenant still exist;

And whereas regional agreements based upon the principles of the Covenant and arranging for mutual assistance between the signatory States in the event of attack have been successively concluded and have resulted in improved conditions of security for a number of States :

Consider that it is now possible to contemplate a first step towards the limitation and reduction of armaments laid down in Article 8 of the Covenant.

And, having decided to conclude a Convention for this purpose, have appointed as their plenipotentiaries . . . . .

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

(German Draft)

Whereas heavy armaments constitute the most serious menace to the peace of the world;

And whereas Article 8 of the Covenant of the League of Nations provides for a general reduction of armaments;

The High Contracting Parties have resolved to conclude a Convention as a first step towards the accomplishment of this purpose, to be followed by successive measures with a view to further disarmament, and have appointed . . . . .

CHAPTER I — EFFECTIVES.

*Observations and Reservations.*

The German delegation makes a general reservation in regard to Chapter I as a whole which, contrary to its view, does not contain any limitation of reserves given military training, registered, and compelled by law to serve in case of war, although in its opinion these reserves, while non-existent in professional armies, form the decisive factor as regards personnel in war, in countries having a conscript system.

The British delegation reserves the opinion of its Government as to the limitation of trained reserves.

The delegation of the United States of America makes a general reservation on the following provisions of Chapter I as regards the inclusion of formations organised on a military basis and the exclusion of trained reserves.

*Article A.*

The High Contracting Parties agree to limit the effectives in service in their armed force, or land, sea and air formations organised on a military basis, and who may for that reason be immediately employed without having to be mobilised, to the effectives determined in the tables enumerated below and annexed to the present Treaty.

1. Land Armaments :

- Table I. — Maximum home forces.
- Table II. — Maximum overseas forces stationed on the home country.
- Table III. — Maximum of total forces stationed in the home country.
- Table V. — Maximum of the total forces of the High Contracting Parties.
- Table VI. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.
- Table VII. — Maximum of the forces belonging to formations organised on a military basis stationed in overseas territories.

2. Naval Armaments :

The delegations of the British Empire and the United States of America only accept the limitation of naval effectives provided such limitation is generally accepted and provided also that a satisfactory agreement is reached respecting the limitation of warships.

Table VIII. — Maximum armed forces.

The delegation of the British Empire considers Table IX unnecessary.

The delegation of France reserves for the second reading its final decision regarding a separate limitation of air effectives of home and overseas forces.

The delegation of the British Empire considers Table XI unnecessary.

Table IX. — Maximum forces belonging to formations organised on a military basis.

3. Air Armaments :

Table X. — Maximum armed forces.

Table XI. — Maximum forces belonging to formations organised on a military basis.

#### Article H.

In order to prevent the number of officers, warrant officers and sergeants from exceeding the legitimate requirements of each army, the tables relating to land armaments mentioned in Article A above shall indicate a maximum number of officers, warrant officers and sergeants which each High Contracting Party shall undertake not to exceed.

Similarly, for the same reasons as those given above, the said tables shall show the maximum figure which each High Contracting Party undertakes not to exceed in respect of other ranks whose period of service is longer than the longest period at present in force in the conscript armies of the High Contracting Parties.

The provisions contained in the first paragraph of this Article equally apply, *mutatis mutandis*, to the tables in Article A relating to naval and air armaments.

The second paragraph of Article H has not been discussed in connection with naval and air effectives.

The delegation of France and Italy declare that the clauses of the first two paragraphs must apply in the same conditions to land, naval and air effectives, and that it can only accept them subject to this reservation.

The delegations of the British Empire, Chile, Japan and the United States of America do not accept the third paragraph.

#### Article C.

By "formations organised on a military basis" shall be understood Police forces of all kinds, gendarmerie, Customs officials, forest guards, which, whatever their legal purpose, can be used without mobilisation, by reason of their staff of officers, establishment, training, armament or equipment, as well as any organisation complying with the above condition.

#### Article D.

By "mobilisation" within the meaning of the present Treaty shall be understood all the measures for the purpose of providing the whole or part of the various corps, services and units with the personnel and material required to pass from a peace-time footing to a war-time footing.

#### Article F.

Each of the High Contracting Parties may, within the limits fixed by the Tables relating to land armaments in Article A, and should the conditions affecting its security so require, modify the distribution of the said forces between its home territories and overseas territories.

Any modification in this distribution shall be shown in the annual statements of particulars, the preparation of which is provided for in Article I A of Chapter V below.

*Article E.*

This Article has not been discussed in connection with naval and air effectives.

When drawing up the tables mentioned in Articles A (Chapter I) and I A (Chapter V) :

(a) By "effectives in service in the armed forces" shall be understood the average dally effectives reckoned by dividing the total number of days duty by the number of days in the budgetary year;

(b) By "effectives in service in the formations organised on a military basis" shall be understood the actual effectives, e. g. the actual number of men shown up to the time of their discharge from active service or during their periods of training, in the statement of effectives which determines grants of every kind for these effectives, including men who, for any reason whatever, are absent from the units to which they are allocated.

*Article I.*

This Article has not been discussed in connection with naval and air effectives.

In each Contracting State having the conscription system, the total period of service which the annual contingent is compelled to serve shall not exceed the figure accepted by each of the High Contracting Parties.

The delegation of France declares that the clauses of this Article must apply in the same conditions to land, naval and air effectives.

For each man the total period of service shall be the total number of days of active service and of days of service during the periods of instruction which he undergoes.

CHAPTER II. — MATERIAL.

SECTION I. — LAND ARMAMENT.

*Observations  
and  
Reservations.*

The delegation of the United States of America makes a general reservation on the failure to include provisions for the limitation of material both in the hands of forces serving with the colours and reserve material of land and air forces.

*Article TA.*

(German Draft)

(French Draft)

The delegations of Italy and Japan make a general reservation as regards limitation of material proposed in Article TA (German draft).

The High Contracting Parties agree to limit the maximum material of their land forces in service and in reserve to the figures fixed in Table..., annexed to the present Convention.

In each of the Contracting States, the total expenditure on the upkeep, purchase and manufacture of war material in the strict sense of the term, for the duration of the present Convention shall be limited for the land, naval and air armament to the respective sums fixed in Co-

TABLE

Material in service and in reserve	Maximum number of arm.	Quantity or ammunition for the various arms (rifles, machine-guns etc.)
1. Rifles or carbines.		
2. Machine guns and automatic rifles. . . . .		
3. Guns, long and short, and howitzers of a calibre below 15 cm. . . . .		
4. Guns, long and short, and howitzers of a calibre of 15 cm. or above..		
5. All Kinds of Mortars. . . . .		
6. Tanks. . . . .		
7. Armoured cars .		

columns X, Y and Z of Tables (1) (Home forces and formations of the home country organised on a military basis) and... (Overseas forces and their reinforcements and overseas formations organised on a military basis) annexed to the present Convention.

The said sums shall be divided by the number of years for which the present Convention remains in force, and, in each of the Contracting States, the annual expenditure on the upkeep, purchase and manufacture of war material in the strict sense of the term shall not exceed the figure laid down for each year; nevertheless, sums not expended during one year may be carried forward to the following year and added to the sums fixed for that year.

SECTION II. — NAVAL ARMAMENTS.

The German delegation declares that it is necessary to limit naval material in reserve in addition to floating material.

*Article NA.*

The French delegation points out that the accompanying French text constitutes the draft for reaching a compromise, which, after discussion and with a view to finding a formula for agreement, it has substituted for its original draft, which included only the first four paragraphs of this text.

(British Draft.)

(French Draft.)

(Italian Draft.)

The High Contracting Parties agree to limit to the figures laid down the number and tonnage of all the ships in each of the classes specified in Annex.

The limitation of naval armaments agreed to by each of the High Contracting Parties is shown in the annexed Table X.

The figures in column I of this table represent the total tonnage that each of the High Contracting Parties considers it essential to attain for the purposes of security and the defence of its national interests.

The figures in column II represent the total tonnage that each of the High Contracting Parties considers it necessary to complete before the expiry of the Convention.

The figures in column III represent, for

Each of the High Contracting Parties, within the limits of the total tonnage which it undertakes not to exceed, may distribute and arrange its tonnage to the best advantage for its national interests, subject to communicating to the Secretariat of the League of Nations, at least six months before laying down the keel, the characteristics of each vessel of war which it intends to construct, in conformity, for example, with Article XVI of the Treaty of Washington.

(1) The tables referred to correspond to the model statements provided for in the report of the budgetary experts. Their definitive form depends on the final conclusions of these experts.



each of the High Contracting Parties the division of the total tonnage stated by it in column II into total tonnage by groups.

These total tonnage groups apply to all ships of a similar nature in the following manner : (a) capital ships; (b) aircraft carriers; (c) surface ships of less than 10,000 tons; (d) submarines.

Each of the High Contracting Parties, while keeping within the limits of total tonnage stated in column II, can alter such division as it deems necessary for its security, subject to informing the Secretariat of the League of Nations of the changes brought to the division of its total tonnage, at least one year before laying down the portion of the tonnage which is to be transferred.

*Note :* Each of the High Contracting Parties states in column III the division of its total tonnage, either into the four groups of vessels as stated in paragraph 4, or only into those groups which it considers necessary for its needs of security.

The delegations of the United States of America and Italy make a general reservation concerning this Table.

TABLE X.  
ANNEX TO ARTICLE NA. OF FRENCH DRAFT.  
*Total Tonnage of Warships.*

I. Tonnage essential for the purposes of security and the defence of national interests	II. Tonnage to be completed before the expiry of the Treaty	III. Division into total tonnage by groups of the total tonnage stated in column II.								
		<p style="text-align: center;">Total tonnage of</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Capital ships</td> <td style="width: 25%; text-align: center;">Aircraft carriers</td> <td style="width: 25%; text-align: center;">Vessels under 10,000 tons</td> <td style="width: 25%; text-align: center;">Submarines</td> </tr> <tr> <td style="text-align: center;">a.</td> <td style="text-align: center;">b.</td> <td style="text-align: center;">c.</td> <td style="text-align: center;">d.</td> </tr> </table>	Capital ships	Aircraft carriers	Vessels under 10,000 tons	Submarines	a.	b.	c.	d.
Capital ships	Aircraft carriers	Vessels under 10,000 tons	Submarines							
a.	b.	c.	d.							

*Article NB.*

(British Draft)

The High Contracting Parties agree to limit to the figures laid down in Annex... for each class of ship the maximum tonnage of any one ship and the calibre of the largest gun that may be mounted thereon.

(French and Italian Draft)

The High Contracting Parties agree to limit to the figures laid down in Annex... the tonnage of the largest vessel of war and the calibre of the largest gun mounted in any vessel of war.

*Article NC.*

(British Draft)

The High Contracting Parties agree to limit to the figures laid down in Annex... the maximum diameter of the largest torpedo tube carried by any ship.

*Article NE.*

(French Draft)

In assessing total tonnage a fraction only equal to ... per cent of the real tonnage shall be calculated in the case of vessels of war which have exceeded the age limit indicated in Table ... of the Annex.

*Article ND.*

The standard displacement of a ship is the displacement of the ship complete, fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

This assessment shall be in metric tons.

*Article NF.*

The High Contracting Parties undertake that, except in case of loss, no vessel of war shall be replaced before having reached the age limit indicated in Table... of the Annex. The age of units shall be counted as from the date of their completion.

*Article NG.*

With the exception of those ships which, in order to effect economy and specially mentioned in the Convention as being allowed to be converted into a type of warship other than that for which it was originally designed, no ship which has been replaced may be reconverted into a vessel of war.

*Article NH.*

No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6 inches (182 millimetres) calibre.

*Article NI.*

No vessel of war constructed within the jurisdiction of any one of the Contracting Parties for a non-contracting Power shall exceed the limitations as to displacement and armament prescribed by the present Treaty for vessels of a similar type which may be

constructed by or for any of the Contracting Powers; provided, however, that the displacement for aircraft carriers constructed for a non-contracting Power shall in no case exceed 27,000 tons (27,432 metric tons) standard displacement.

*Article NF.*

In the event of a Contracting Power being engaged in a war, such Power shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

*Article NK.*

Each of the Contracting Powers undertakes not to dispose by gift, sale or any mode of transfer of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power.

SECTION III. — AIR ARMAMENTS.

*Article AA.*

The German delegation makes a reservation with respect to Article AA, being of the opinion that the limitation should apply to all air material of war, and should therefore also include material in reserve and stocks of material.

The delegations of the British Empire and France reserve for the second reading their decision on Article AA in so far as it suppresses the distinction between metropolitan and overseas air forces.

The delegation of Roumania made a reservation regarding the limitation of numbers of aeroplanes.

Each of the High Contracting Parties undertakes to limit the air material in service in accordance with the figures laid down in the following tables.

*Table A.* — The maximum number and total horse power of aeroplanes and maximum number, total horse-power and total volume of dirigibles in service in their armed forces.

*Table B.* — The maximum number and total horse-power of aeroplanes and maximum number, total horse-power and total volume of dirigibles in service in their formations organised on a military basis.

The limitation shall apply to aeroplanes and dirigibles capable of use in war employed in commission in the land, sea and air forces, or in the formations organised on a military basis.

*Article AC.*

Horse-power shall be measured according to the rules . . . . .  
(to be established by the Conference).

The volume of dirigibles to be expressed in cubic metres.

*Article AD.*

The German delegation makes a reservation regarding Article AD, in view of the fact that the development of a means of peaceful communication cannot be taken as a starting-point for armaments, except where this means of communication is of real military importance.

The Delegation of

The limitations laid down are accepted by each High Contracting Party in the light of the present development of civil aviation in other countries.

the Argentine makes a reservation regarding Article AD.

The delegation of the United States of America make a general reservation on the inclusion of provisions basing limitation upon the present development of civil aviation in other countries.

*Article AE.*

The delegation of Italy made a reservation with regard to Article AE.

1. If the High Contracting Parties intervene in any capacity, whether directly or indirectly, wholly or partially, in civil aviation undertakings, they agree that the State organs dealing with the matter shall be quite separate from the organs dealing with military aviation. It is agreed that this undertaking does not prevent the union of civil and military aviation under a single Ministry provided that the two subjects are dealt with separately and independently.

2. The High Contracting Parties shall refrain from prescribing the embodiment of military features in the build of civil aviation material so that this material may be constructed for purely civil purposes, more particularly with a view to providing the greatest possible measure of security and the most economic return.

3. The High Contracting Parties undertake not to require of civil aviation undertakings that they should employ only personnel specially trained for military purposes.

They undertake to authorise only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings.

4. The High Contracting Parties undertake not to subsidise, directly or indirectly, air lines principally established for military purposes, instead of being established for economic administrative or social purposes.

5. The High Contracting Parties undertake to encourage as far as possible the conclusion of economic agreements between civil aviation undertakings in the different countries.

CHAPTER III — BUDGETARY EXPENDITURE.

*Article DA.*

The British, Italian and Japanese delegations consider that budgetary limitation should be effected solely by publicity.

The delegations of the United States and Germany make a general reservation on the inclusion in the present Draft Convention of any limitation of budgetary expenditure.

(French Draft.)

The total annual expenditure counted per budgetary year and allocated according to Tables..... (Home forces and formations of the home country organised on a military basis) and..... (Overseas forces and their reinforcements and Overseas formations organised on a military basis), shall not exceed the figures approved by the several Contracting States in the present Convention and mentioned in the said tables.

## CHAPTER IV. — CHEMICAL WARFARE.

The discussion on these clauses has been held over until the second reading.

(Draft proposed by the delegations of Belgium, Czechoslovakia, Kingdom of the Serbs, Croats and Slovenes, Poland and Roumania.)

The High Contracting Parties undertake to abstain from the use in war of asphyxiating, poisonous or similar gases, and of all analogous liquids, substances or processes.

They also undertake to abstain from the use of all bacteriological methods of warfare.

They also undertake to abstain from any preparation in peace time of the use of the methods of warfare stated in the preceding paragraph.

They undertake, moreover, not to permit the importation, the exportation or the manufacture on their territory of substances utilisable for chemical or bacteriological warfare, when they are imported, exported or manufactured with a view to such use.

## CHAPTER V. — MISCELLANEOUS PROVISIONS

### SECTION I. — ORGANISATION

#### *Article O.A.*

The statement made by the American delegation on April 13th, 1927, indicates the views of the American Government on certain points as regards the application of the Convention.

(French Draft.)

There shall be set up at the seat of the League of Nations a "Permanent Disarmament Commission" consisting one representative of each of the following High Contracting Parties' :

- (a) The High Contracting Parties, Members of the Council of the League, for the duration of their term of office on the Council.
- (b) The United States of America and the Union of Socialist Soviet Republics.
- (c) (List of High Contracting Parties to be appointed by the Conference.)

To the members of the Permanent Disarmament Commission shall be attached military, naval and air experts, and experts qualified in the branches subject to the limitations provided for in the present Convention.

The Permanent Disarmament Commission shall be summoned by the Secretary-General of the League of Nations.

In the event of their not sitting on the Permanent Disarmament Commission, the High Contracting Parties shall be entitled to be represented at discussions which concern them. In such case, their delegates may demand that, in the Commission's report, account should be taken of the opinion or suggestions put forward by them, if necessary in the form of a special report.

## SECTION II. — EXCHANGE OF INFORMATION

### *Article 1A.*

The form and the number of tables have not been decided as regards naval and air armaments.

The German delegation makes a reservation concerning this Article the tables mentioned therein not providing for publicity regarding trained reserves.

The Italian delegation makes a reservation and does not agree to all the distinctions referred to in these tables.

Each of the High Contracting Parties shall prepare on the model of Tables I, II, III, V, VIII and X mentioned in Article A (Chapter I) and of Table IV annexed to the present Convention (Overseas forces), an annual statement of the average daily effectives on service with its armed forces, and on the basis of Tables VI, VII, IX, and XI mentioned in Article A (Chapter I) a statement of the actual effectives on service in its formations organised on a military basis.

The statements laid down in the present provision shall be forwarded to the Secretary-General of the League of Nations within three months after the close of the budgetary year.

### *Article 1B.*

(Netherlands Draft.)

Owing to the various considerations brought forward by the Japanese delegation at the meeting of the Commission on April 21st, 1927, it formally opposes this proposal, and also the proposal of the German delegation opposite Article 1A (Chapter II).

Each of the High Contracting Parties shall prepare an annual statement of the number (weight) of arms and ammunition and implements of war in service and in reserve in its land, naval and air forces distributed between the following twelve headings and existing on the date of December 31st of the preceding year :

1. Rifles, muskets, carbines (number).
2. (a) Machine-guns, automatic rifles and machine-pistols of all calibres (number);

- (b) Mountings for machine-guns (number);
- (c) Interrupter gears (number);
- 3. Projectiles and ammunition for the arms enumerated in Nos. 1 and 2 above (number).
- 4. Gun-sighting apparatus including aerial gunsights and bombsights, and fire-control apparatus (number).
- 5. (a) Cannon, long or short and howitzers, of a calibre less than 5.9 inches (15 cms.) (number);
- (b) Cannon, long or short, and howitzers, of a calibre of 5.9 inches (15 cm.) or above (number);
- (c) Mortars of all kinds (number);
- (d) Gun carriages (number), mountings (number) recuperators (number), accessories for mountings (weight).
- 6. Projectiles and ammunition for the arms enumerated in No. 5 above (number);
- 7. Apparatus for the discharge of bombs, torpedos, depth charges and other kinds of projectiles (number);
- 8. (a) Grenades (number);
- (b) Bombs (number);
- (c) Land mines, submarine mines, fixed or floating, depth charges (number);
- (d) Torpedoes (number).
- 9. Appliances for use with the above arms and apparatus (number).
- 10. Bayonets (number);
- 11. Tanks and armoured cars (number);
- 12. Arms and ammunition not specified in the above enumeration (number and weight).

With a view to the exchange of information as provided for in the present Section, the statement laid down in the present provisions shall be forwarded to the Secretariat of the League of Nations before March 1st of the year following the year to which it refers.

*Article IC.*

If the construction of any vessel of war for a non-Contracting Power is undertaken within the jurisdiction of any of the Contracting Powers, such Power shall promptly inform the Secretary-General of the League of Nations and shall publish in its Official Journal the date of the signing of the contract and the date on which the keel of the ship is laid, as well as the following specifications : the standard displacement in metric tons, the length of the water line, the extreme beam at or below water line, the mean draft at standard displacement; the date of completion of each new ship and its standard displacement in metric tons, and the principal dimensions, namely, length at waterline, extreme beam at or below waterline, mean draft standard displacement at time of completion.

*Article IG.*

The delegations of the British Empire and Italy reserve their opinion concerning this Article.

Each of the High Contracting Parties shall communicate to the Secretariat of the League of Nations the name and the tonnage of any vessel constructed in accordance with Article NH (Chapter II). With regard to existing vessels of this type, this communication shall be made within two months after ratification of the present Treaty. With regard to vessels to be constructed the communication shall be made on the date of completion.

*Article ID.*

The German delegation makes a reservation concerning this Article, considering that publicity should be applied to all aerial war material, and hence to material in reserve and stocks of material.

(Italian Draft.)

Each of the High Contracting Parties shall prepare an annual statement showing the maximum figures attained during the year in respect of the number and total horse-power of aircraft, and the number, total horse-power and total volume of dirigibles in commission according to their distribution laid down in Article AB (Chapter II, Section III — Air Armaments).

(French Draft modified.)

Each of the High Contracting Parties shall prepare an annual statement showing the maximum figures attained during the year in respect of the number and total horse-power of aircraft, and the number, total horse-power and total volume of dirigibles in commission according to their distribution as laid down in Article IA of the present Chapter.

*Article IE.*

The German delegation reserves the right to give its definite opinion at the second reading.

In order to ensure publicity in the matter of civil aviation, each of the High Contracting Parties shall prepare an annual statement showing the total number of civil aeroplanes and dirigibles registered in the territory under jurisdiction of each of the High Contracting Parties.

PREAMBLE TO ARTICLES DA AND DB.

Whereas it is in the general interest that the expenditure on armaments should be limited, and

Whereas the High Contracting Parties are not agreed at present on any satisfactory method of accomplishing this object, and

Whereas the High Contracting Parties consider that as a preliminary to such limitation of expenses full publicity should be secured so that on a future occasion it may be possible again to approach this question with better hope of success,

The High Contracting Parties agree to arrange for the publicity of their military, naval and air expenditure in accordance with the provisions contained in the two following articles.



*Article DA.*

In putting forward this Article, the Preparatory Commission takes note of the fact that the works of the Committee of Experts on Budgetary Questions is not complete, and that they hope to produce a relatively simple schedule. The Preparatory Commission is of opinion that the model statement should be as simple as possible consistently with the achievement of its object.

The German delegation has accepted the principle of the simplification of the model statement on condition that the model statement is employed exclusively for the publication of expenditure on national defence and not for purposes of comparison and limitation.

The Italian delegation reserves its opinions concerning Article DA until it has examined the model statement in question.

The British delegation makes a reservation with regard to the second paragraph of this Article.

Each of the High Contracting Parties will communicate to the Secretary General of the League of Nations, in a model form, a statement of the amount proposed to be expended on its land, naval and air armaments in the current financial year.

This communication shall be made not later than... months after the entry into force of the legal provisions authorising the expenditure.

*Article DB.*

Each of the High Contracting Parties will communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the amount actually expended on its land, naval and air armaments during the preceding financial year.

This communication will be made not later than... months after the close of the financial year.

*Article IF.*

(French Draft)

The Permanent Disarmament Commission shall be responsible for centralising all the information supplied by the High Contracting Parties to the Secretary-General of the League in execution of the provisions of Article IA, IC, IG, ID and IE, DA and DB of the present Chapter and also for collecting, with regard to matters subject to the limitation provided for in the present Treaty, or which may appear to it suitable to form the object of fresh treaties, all particulars it may consider necessary to the performance of its mission as defined below.

The Commission shall be responsible for studying, on the basis of these data, such progress as may be accomplished in regard to the limitation and reduction of armaments. Its attention shall be devoted in particular to following in the annual budget statements supplied by the High Contracting Parties the increase or reduction in the amount of the material in their possession which it has not been possible to limit directly in the present Convention.

Each year the permanent Disarmament Commission shall make at least one report on the questions which it is engaged in studying. This report shall be published simultaneously with despatch to all the High Contracting Parties and to the Council of the League. Each member of the Commission shall be entitled to demand that account shall be taken in this report of the opinions or suggestions put forward by him, if necessary in the form of a special report.

### SECTION III. — DEROGATIONS

#### *Article XA.*

##### (British Draft)

The provisions of the present Convention shall not prevent any of the High Contracting Parties from increasing its land, naval or air armaments beyond the agreed figures :

- (1) If a war in which it is a belligerent has broken out, or
- (2) If it is threatened with a rebellion, or
- (3) If this increase is effected with the consent of the Council of the League of Nations.

Notice to all the other High Contracting Parties shall be given by the Party increasing its armaments in pursuance of this article.

Subject to any agreement to the contrary by the Parties to this Convention, High Contracting Party increasing its armaments in pursuance of the first paragraph of this article shall, when peace is restored or the rebellion has come to an end reduce its armaments to the amounts agreed upon.

##### (French Draft)

If one of the High Contracting Parties is compelled by the unjustified aggression of another Power to resort to the measures of mobilisation referred to in Article D (Chapter I), it shall immediately inform the Secretary-General of the League of Nations and shall *ipso facto* be released for the duration of the conflict from the obligations which it incurs under the present Convention.

If the High Contracting Party is a Member of the League of Nations, it shall remain subject to the general obligations of the Covenant and to the decisions of the Council. The Secretary-General of the League of Nations shall be responsible for summoning the Council as quickly as possible.

### SECTION IV. — PROCEDURE WITH REGARD TO COMPLAINTS AND REVISION

#### *Article ZA.*

##### (British Draft.)

The High Contracting Parties recognise that any violation of the provisions of this Convention is a matter of concern to all the Parties. If any Party to the Convention is of opinion that another Party to the Convention is maintaining armaments

##### (French Draft.)

If, during the term of the present Convention, a High Contracting Party considers that the requirements of its national security are materially affected by any change of circumstances, it shall lay the matter before the Permanent Disarmament

in excess of the figures agreed upon, or is making such changes in its armaments, or is embarking on such preparations as are likely to disturb international relations or the good understanding between nations, or is in any way violating the provisions of the Convention, it may bring the matter to the notice of the other Parties to the Convention.

Each of the High Contracting Parties agrees that, on receipt of any such notification by another Party to the Convention, it will co-operate in such measures as may be thought desirable by the Parties which are mentioned in Article EB of the present chapter, or represented in the Council of the League, but excluding the Party against which the complaint is made, for investigating the facts, and that it will join in such action as may be deemed wise and effectual to safeguard the peace of nations.

Provided that no investigation within the limits of the territory of any of the High Contracting Parties shall be made without its consent.

Commission through the Secretary-General of the League of Nations with a view the possible revision of the limitations it has accepted. The Permanent Commission shall examine the arguments adduced by the High Contracting Party and shall be obliged to report thereon. The report shall be addressed to the Council of the League.

The High Contracting Party making the application shall take part in the examination of its application by the Permanent Disarmament Commission. Its delegate shall not be allowed to take part in the drafting of the report and may only require that the latter shall take into account the opinions or suggestions put forward by him, if necessary in the form of a special report. If, in the application which it has submitted to the Permanent Disarmament Commission, the High Contracting Party has indicated, as a new circumstance affecting its national security, facts which concern one of the High Contracting Party members of the Commission, the delegate of the latter shall be subject to the same rules as the delegate of the High Contracting Party making the application.

#### *Article ZE.*

If, during the term of the present Convention a High Contracting Party considers that the requirements of its national security are materially affected by any change of circumstances, it may be authorised to exceed the limits for armaments fixed under the present Convention by a unanimous decision of the following High Contracting Parties.

This provision shall not affect the rights or obligations of the Contracting Parties arising out of their membership of the League of Nations.

#### *Article ZB.*

(French Draft.)

The Permanent Disarmament Commission may decide by a two-thirds majority that an enquiry is necessary to verify the existence of any of the circumstances adduced by a High Contracting Party as affecting its national security. The enquiry shall be carried out under the conditions laid down in regulations to be drawn up as soon as the present Convention enters into force.

(a) If the Permanent Commission is notified by a High Contracting Party of the existence of circumstances materially affecting its national security in consequence of a grave transgression of the Convention of the Limitation of Armaments, it shall call upon the Power or Powers referred to in the application who are not already sitting on the Commission to take part in its proceedings under the conditions laid down in Article OA of the present Chapter.

(b) The Permanent Commission shall decide by a two-thirds majority, excluding the parties to the dispute, whether the enquiry is to be conducted only by an examination of official documents which have

been communicated to it, or whether the nature of the facts alleged necessitates an enquiry on the spot.

The High Contracting Parties undertake to afford every assistance to this enquiry, particularly in their respective territories.

(c) The members of the Committee of Enquiry shall be selected by the Permanent Commission from a list of experts duly qualified in the different branches, subject to the limitations provided for in the present Convention. The Permanent Commission shall also appoint the Chairman of the Committee of Enquiry. The list of experts shall be drawn up in pursuance of the proposals of the Governments signatories of the present Convention.

The State involved and the party making the application may only be represented in the Committee of Enquiry in a purely advisory capacity.

The experts appointed by the Permanent Commission may in no case be subject to the authority of any of the parties to the dispute.

(d) The Permanent Commission shall fix the points on which the enquiry shall bear. If it is decided that the enquiry may be conducted simply by a study of documents, the Committee of Enquiry shall meet immediately. If, in the course of its proceedings, it needs to consult documents which are not yet at its disposal, its Chairman shall address a request for such documents to the Secretary-General of the League, to whom the States concerned shall forward them as soon as possible.

If, in the opinion of the Permanent Commission, the nature of the infringement necessitates an enquiry on the spot, the Chairman of the Committee of Enquiry shall himself fix the date on which it shall begin such investigation. The State concerned shall be immediately notified by the Secretary-General of the League of Nations.

(e) The Chairman of the Committees of Enquiry shall make a report to the Permanent Commission, in which he shall confine himself to recording the actual facts; the Permanent Commission alone shall pronounce on these facts. If differences of opinion have arisen among the experts, mention must be made of them in the report.

*Article ZC.*

(French Draft.)

In pursuance of the Permanent Commission's report referred to in Article ZA above or the enquiry provided for in Article ZB above, if any, the Council of the League of Nations, acting in virtue of Article 8, paragraph 4, of the Covenant of the League, may authorise a High Contracting Party to exceed, within specific limits and

for a specific time, the limitations laid down in the present Convention.

In cases of urgency, the matter may be laid before the Council direct, which may take a decision, if it thinks necessary without previous enquiry or report.

*Article ZD.*

The British delegation reserves its opinion until the second reading as to the desirability of this proposal.

(French Draft.)

If, during the term of the present Convention, civil aviation in one or more of the contracting countries, or military or civil aviation in one or more of the non-signatory States, experiences such a development as to constitute a possible danger to the security of some of the High Contracting Parties, the latter shall report this change of circumstances to the Permanent Disarmament Commission under the conditions laid down in Article ZA above.

SECTION V. — RATIFICATION — ENTRY INTO FORCE — DENUNCIATION

*Article EA.*

The German delegation makes a general reservation with regard to Article EA, in view of the fact that the Draft Convention does not yet show whether certain fundamental conditions will be fulfilled; these conditions were formulated during the proceedings at the third session of the Preparatory Commission and without them Germany could not regard the Convention as a first step towards general disarmament. In addition, guarantees should be given that this first step will be followed, at suitable intervals, by other steps towards the progressive reduction of armaments.

The present Convention shall not affect the terms of previous treaties, under which certain of the High Contracting Parties agreed to limit their military, naval or air armaments, and have thus fixed in relation to one another their respective obligations and rights in this connection, the present Convention being within these limits inapplicable between the said Powers.

*Article EB.*

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods. The instruments of ratification shall be deposited at Geneva.

It shall come into force for each Party whose instrument of ratification has been deposited as soon as the instruments of ratification have been deposited by (list of States to be drawn up by the Conference).

*Article EC.*

The Swedish delegation reserves its opinion on the question until the second reading.

The High Contracting Parties agree to accept reservations which may be made by Estonia, Finland, Latvia, Poland and Roumania at the moment of their signature of the present Convention, and which shall suspend, in respect of these States, the application of Articles... of the present Convention until the accession of Russia to the present Convention under the same conditions as the above-named Powers.

*Article ED.*

Each of the High Contracting Parties undertakes that, as soon as the Convention has come into force for it, it will begin the necessary measures for carrying the provisions of the Convention into effect.

*Article EF.*

Reservation by the British delegation, which considers that different periods ought to be prescribed for air and land armaments on the one hand, and naval armaments on the other hand.

Reservation by the French and Italian delegations regarding this questions, requiring equal treatment for all three categories of armaments.

The present Convention shall remain in force for... years as from the exchange of ratifications.

In case none of the High Contracting Parties shall have given notice to terminate two years before the expiration of the said period, the provisions of the Convention shall continue in force until the expiration of two years from the date on which such notice shall be given by one of the Parties.

If the Party by which such notice is above given is among those to be mentioned in the last paragraph of Article EB all the High Contracting Parties shall, within one year of the date of the notice, meet in conference to consider the continuance of the provisions to be terminated. In the event of any such conference failing to come to an agreement, accepted by all the Parties other than the Party which has given the notice, as to the continuance of the provisions to be terminated, or as to the substitution of others, they will terminate on the expiration of the two years provided for in the notice.

If the High Contracting Parties, other than the Party which has given notice to terminate, agree upon the terms of other stipulations in substitution for those to be terminated, the latter shall continue in force for all Parties other than that which gave the notice until the coming into force of the new stipulations.

If the Party by which notice to terminate is given is not among those to be mentioned in the last paragraph of Article EB above, the Convention will remain in force for all High Contracting Parties other than that by which the notice was given.

Notices under this Article shall be given to the Secretary-General of the League of Nations and shall be deemed to have been given on the day on which the notice was received by him.

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# MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

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Communications concerning the *Monthly Summary* should be addressed  
to the Information Section, League of Nations, Geneva.

### I. — Summary of the Month.

MAY 1927

The International Economic Conference of expert delegations from fifty Member and non-Member countries was the outstanding feature of the League's activity in May.

In addition to this session, there were meetings of the Mixed Committee on Economic Crises, which examined a memorandum of the International Labour Office on unemployment and public works; of the Committee on Statistics on Inland Navigation, which considered the question of the unification of commercial statistics; of the Advisory Commission on the Protection and Welfare of Children and Young People; and of an International Conference on Rabies at the Pasteur Institute in Paris.

The Jury of Architects, appointed to examine plans for the new League offices, made known its decision and distributed the sum allotted for prizes for the best designs.

The Saar Governing Commission sent in its twenty-ninth quarterly report.

The Acting-President of the Council, in accordance with the Rules of Procedure, summoned the Eighth Ordinary Session of the Assembly for Monday, September 5 th.

## II. — The International Economic Conference.

The International Economic Conference summoned by the Council sat at Geneva from May 4th to May 23rd, 1927, with M. Theunis, former Prime Minister of Belgium in the chair.

The Conference was attended by members from fifty countries, including States Members and non-Members of the League, namely, Abyssinia, South Africa, Albania, Australia, Austria, Belgium, Brazil, the British Empire, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Danzig, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, India, the Irish Free State, Italy, Japan, Latvia, Luxemburg, the Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Persia, Poland, Portugal, Rumania, Salvador, the Serb-Croat-Slovene Kingdom, Siam, Sweden, Switzerland, Turkey, the Union of the Socialist Soviet Republics, the United States, Uruguay and Venezuela; by observers from Mexico; by representatives of the Chambers of Commerce and other international organisations, appointed by the Council and by experts invited by the President of the Conference.

Each country sent a certain number of members and experts, the total attendance being 194 members and 157 experts. In accordance with the rules of the Conference, these delegates, selected by their Governments on the basis of technical and personal qualifications, were not spokesmen of any official policy, and their personal responsibility alone was engaged by their vote. They included industrialists, merchants, bankers, economists, agriculturists, officials with experience of commercial policy, representatives of workers' and consumers' organisations and cooperative societies and three women specialists in economic matters, appointed by the Council after consulting the appropriate international women's organisations.

Over a year had been spent in the preparation of the Conference by a Committee which was in itself a miniature conference, including, as it did, thirty-five experts drawn from twenty-one countries and appointed on the same basis as the members of the Conference. This Preparatory Committee has collected and published in about sixty memoranda an enormous amount of material, compiled with the aid of official and private organisations throughout the world and covering an extremely wide range of subjects.

The main object of the Conference was, as recommended by the Assembly, to bring about a general exchange of views on existing economic difficulties and the means of overcoming them—to evoke collective opinion on the conditions, principles and guarantees which might serve as a starting-point for the improvements and progress necessary to restore greater freedom to international commerce. As the Preparatory Committee had pointed out in its report, the Conference was not to be regarded as an isolated event, but as a stage in the continuous work of collaboration in the economic sphere which had begun before the project of a general conference was launched, and would continue when the Conference itself was over.

The first part of the Agenda included a general discussion of the economic tendencies capable of affecting the peace of the world and also a general survey of the principal features and problems of the international economic position. This

discussion lasted from May 4th to May 7th and included statements by thirty-six Government representatives and eight representatives of international organisations. The second part of the programme contemplated discussion under three main heads—commerce, industry and agriculture. To this end, the Conference divided its work among three Commissions, presided over by M. Colijn (Netherlands), M. Hodac (Czechoslovakia) and M. Frangeach (Kingdom of the Serbs, Croats and Slovenes).

The Conference appointed twelve vice-presidents — M. Louchèur (France), M. von Siemens (Germany), M<sup>me</sup> Emmy Freundlich (Austria), M. de Rio Branco (Brazil), Sir Arthur Balfour (British Empire), M. Sonne (Denmark), Mr. Robinson (United States), Count Bonin-Longare (Italy), M. Shidachi (Japan), M. Oudegeest (Netherlands), M. Gliwic (Poland), M. Obolensky-Ossinaki (U. S. S. R.)

The Commissions began work on May 9th and after a general discussion on the problems referred to them, broke up into sub-commissions.

The first Commission (Commerce) divided its work among three sub-commission dealing respectively with liberty of trading, customs tariffs and commercial treaties, and indirect methods of protecting national commerce and shipping. The third Commission (Agriculture) instituted sub-commissions on general questions, cooperation and agricultural credits. The second Commission (Industry) continued in plenary session.

After a fortnight's discussion, the Commissions submitted reports containing statements on the commercial, industrial and agricultural situation and recommendations which are published in the annex to this number. The reports were revised by a Coordination Committee presided over by M. Theunis and submitted to the Conference with an introduction on the economic position and general resolutions which were unanimously adopted. The Soviet delegation made reservations with regard to several points and adhered only to certain resolutions (see Annex). The Turkish delegation abstained from voting.

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In his closing speech the President drew attention to the fact that the distinctive character of the Conference was that it was responsible, though not official—expert, but not academic. He could not but believe, he said, that resolutions unanimously voted by a membership so widely representative must profoundly influence the economic policy of the world. The result achieved by the Conference was a real and permanent one and went far beyond the hopes cherished at the beginning of its labours.

After recalling that the Conference was but the first step in the work of economic reconstruction, the President admitted that there had been a danger that the League's initiative and the conception upon which it was based might involve great difficulties. "It was necessary to clear a way through the thicket and chaos of the problems which hindered the nations of the world in their progress. It was necessary to bring into harmony the conflicting policies and desires of many interests and many great movements." Special stress was laid upon the conciliatory spirit and the solidarity of the members of the Conference; their breadth of views in dealing with the international problems referred to them, the high value of the task accomplished and the conclusions adopted by the various Commissions, determining as they did the main causes of the evils from which the world was suffering and indicating remedies which might be applied. In the President's opinion, in spite of the variety of the questions raised, the diversity of theories, and the legitimate national sentiments of all those who took part in the discussions, one important and extremely encouraging fact had emerged; and, having emerged, had become increasingly manifest as the work had advanced. This fact was the unanimous desire of the members of the Conference to make sure that this Conference should in some way mark the beginning of a new era, during which international commerce

would successively overcome all obstacles in its path that unduly hampered it and resume that general upward movement which was at once a sign of the world's economic health and the necessary condition for the development of civilisation.

M. Theunis added that, in studying economic problems in their international aspects and from an international point of view, the Conference had recognised the importance of national considerations, some of which were political and social rather than economic in character. He, nevertheless, pointed out that, as a starting point and angle of approach, the Conference had felt bound to assume that international trade was in itself to be desired; that the greater the range of exchange of different products between those who by their resources and capacities were best fitted to produce them, the greater was the general economic advantage; that the international exchange of products best and most economically produced in different countries should be regarded as the normal rule; and that the exchange of products and services between persons either of the same country or of different countries was normally to the advantage of both parties.

Special attention was drawn to the resolution adopted by the Conference stating its unanimous conviction that the maintenance of world peace depended largely upon the principles on which the economic policies of nations were formed and executed; that Governments and peoples should constantly take counsel together as to this aspect of economic problems; and that the establishment of a recognised body of principles should be contemplated for the purpose of eliminating economic difficulties which caused friction and misunderstanding. The Conference, as the original Assembly resolution made clear, was concerned not only with the prosperity, but with the peace of the world. Economic conflicts and divergence of economic interests were perhaps the most serious and the most permanent of all dangers likely to threaten the peace of the world. It was therefore urgent to secure agreement on certain principles of policy necessary in the interests of peace.

The President then analysed the reports and recommendations of the three Commissions.

*Commerce* : M. Theunis recalled that the Conference had recognised the desirability of simplifying customs tariffs as far as possible, or creating a systematic nomenclature, of stabilising tariffs and of ensuring the utmost fairness in the application of duties. The chief work of the first Commission had been concerned with the question of tariff levels, which question was closely bound up with that of commercial treaties.

The essential conclusion which had emerged from the discussion in this field was that the time had come to put an end to the increase in tariffs and to move in the opposite direction by action along three main lines, namely individual action by the various States with regard to their own tariffs; bi-lateral action through the conclusion of suitable commercial treaties; collective action, by means of an enquiry undertaken by the Economic Organisation of the League of Nations, with a view to encouraging the extension of international trade on a equitable basis by removing or lowering the barriers to international exchange set up by excessive Customs tariffs.

The President emphasised the importance of the fact that the question of Customs tariffs, notwithstanding its fundamental importance in the economy of each State, had come to be considered as no longer being exclusively within the domain of national sovereignty, but as falling within the scope of problems for which parallel or concerted action among the different nations was possible and desirable.

*Industry* : In examining the report of the second Commission (Industry), the President pointed out that, as regards the question of international industrial agreements, the Conference had laid down no conclusion of principle, but had reco-

gnised the growth of agreements as a development which might be either good or bad according to the spirit in which they were constituted and applied.

He considered that agreements could not by themselves be regarded as the only remedy for the existing causes of economic trouble; but that, within limits, they might serve to improve the organisation and reduce the costs of production. By checking un-economic competition and diminishing industrial fluctuations they might make employment more stable while benefiting the consumer. Nevertheless, agreements might involve danger if they encouraged monopolistic tendencies and unsound business methods.

The Conference, therefore, had laid down that agreements ought not to lead to an artificial rise of prices and that they should not restrict the supply to any particular country of raw materials or basic products, or, without just cause, create unequal conditions between the finishing industries of consuming and producing countries or other countries similarly placed. Nor, it considered, should they stereotype the existing position of production or the distribution of industries.

*Agriculture* : The President remarked that, for the first time, agriculture had been represented side by side with commerce and industry in such a way that it could take its place in a general review of the economic situation of the world. From the documents available at the Conference it was evident that the dislocation in the prices of agricultural produce in relation to those of manufactured products was causing a widespread depression in agriculture, which, if some improvement were not achieved, might result in a diminution of agricultural production. He considered that the most important outcome of the agricultural discussion was perhaps the realisation of the essential interdependence of agriculture, industry and commerce; of the fact that—in the words of the report— “it would be vain to hope that one could enjoy lasting prosperity independently of the others”.

His analysis terminated, M. Theunis observed that eight years of post-war experience had demonstrated the outstanding fact that the *dislocation* caused by the war was infinitely more serious than the actual *destruction*. The main trouble was neither material shortage in the resources of Nature nor inadequacy in man's power to exploit them. It was, in one form or another, a maladjustment—a series of impediments to the full utilisation of that capacity. The principal obstacles to economic revival had been the hindrances opposed to the free movement of labour, capital and goods. The removal of these obstacles with the two-fold object of stimulating production and restoring free channels for trade required concerted international action.

The President considered that the attainment of the former object lay in the hands of the producers, who by cooperation might promote more scientific methods. The second object fell rather within the scope of governmental efforts, inspired and supported by enlightened public opinion. These observations applied in particular to Europe. It was essential that nations should take steps forthwith to reverse or diminish those tariff barriers that gravely hampered trade, starting with those which had been imposed to counteract the disturbances arising out of the war. It was essential that a renewed sense of security should mitigate a burden of armaments which was profoundly uneconomic. Without confidence in the continued peace of the world a prosperity corresponding to the real recovery of productive capacity which has taken place since the war could not possibly be attained.

M. Theunis concluded in the following terms : “Our advice and recommendations will in all probability not be followed immediately on the scale we would desire. Great movements frequently experience many difficulties at the outset. But we are convinced that our work is based on true principles and on the determination to ensure both the peace and the prosperity of the world.

In coming here to Geneva in response to the appeal of the League, we desired to undertake a beneficent task. To-day we have completed the first stage.

### III. — The Permanent Court of International Justice (1).

#### 1. — THE CHORZOW CASE (INDEMNITIES)

The Polish Chargé d'Affaires at The Hague has informed the Registrar that the Polish Government has appointed as its agent, in addition to M. Th. Sobolewski, M. Nicholas Politis, formerly Greek Minister for Foreign Affairs.

#### 2. — DENUNCIATION BY CHINA OF THE SINO-BELGIAN TREATY OF 1865

The Agent for the Belgian Government, on May 2nd, communicated to the Registrar a request for a further extension by the President of the various times allowed for the submission of the document of the written proceedings, and in particular, for the filing by the Chinese Government of its Counter-Case. The time allowed for the handing in of the latter document was to have expired on May 25th.

The reasons advanced for this new request were, firstly, that the negotiations begun at Peking for the conclusion of a new treaty between Belgium and China did not appear to be likely to have reached a definitive result before the date mentioned, and, secondly, that at the time of the opening of negotiations, the Belgian Government had promised the Chinese Government that the proceedings before the Court would be suspended for the duration of the negotiations, this suspension to be arranged by means of further extensions of the times for the written procedure.

The President of the Court has granted this request and has fixed June 18th (the Court being due to meet on June 15th) as the date for the expiration of the time allowed for the submission of the Chinese Counter-Case.

#### 3. — JURISDICTION OF THE EUROPEAN COMMISSION OF THE DANUBE

On April 12th, the French, British and Roumanian Governments filed memoranda in regard to this question, and now the Agent of the British Government has asked permission to submit a written reply to the Roumanian memorandum. In granting this request, the President of the Court has informed all the Governments concerned that they may file, before May 31st, written replies to the memoranda submitted on April 12th. This time has since been extended to June 17th.

The Italian Government has informed the Registrar of the Court that it has appointed as its representative before the Court, M. Carlo Rossetti, Minister Plenipotentiary and delegate on the Danube Commissions. The Italian Government will rely on the oral statements of its views to be made by M. Rossetti, and renounces its right to submit a written memorandum.

The French Government has informed the Registrar that M. Basdevant, its representative, will be assisted by M. Charguéraud-Hartmann, legal adviser to the Ministry for the Navy, Secretary of the French Delegation to the River Commissions.

#### 4. — READAPTATION OF THE MAVROMATIS CONCESSIONS IN PALESTINE (GREECE VERSUS GREAT BRITAIN)

On May 28th the Greek Minister at The Hague filed a new application on behalf of the Greek Government, instituting proceedings against the British Government

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(1) This article has been compiled on the basis of information supplied by the Registry of the Court.

with regard to the concessions obtained before the war by M. Mavromatis, a Greek national, for the supply of water and electricity to the City of Jerusalem. In its judgment No. 5, the Court decided that these concessions should benefit by a right provided in one of the agreements forming part of the Peace Settlement at Lausanne in 1923, namely, that they should be brought into conformity with the new economic conditions. In the contention of the Greek Government, the British Government, in its capacity as mandatory for Palestine, had, by unduly delaying the approval of the plans prepared in application of the re-adapted concessions, failed to conform to this decision; and this had resulted in injury to M. Mavromatis. Direct negotiations undertaken with a view to obtaining satisfaction for M. Mavromatis had led to no result, owing to the negative attitude adopted by the British authorities.

In these circumstances, the Greek Government, having decided to bring the case before the Court, and having informed the British Government of this decision, asks the Court, in its Application, to give judgment to the effect that the latter Government has violated its international obligations within the meaning of Article II of the Mandate for Palestine, and that it is consequently bound to make good the injury sustained by M. Mavromatis, which is estimated at a total sum of £ 217,000 with interests at 6 %.

#### 5. — INTERNATIONAL AGREEMENTS CONCERNING THE COURT'S JURISDICTION (1)

The Governments of the following countries have so far replied to the Registrar's circular letter of March 24th last :

Austria,  
Estonia,  
Finland,  
Great-Britain,  
Italy,  
Mexico,  
Monaco,  
Netherlands,  
Norway,  
Spain,  
Turkey,  
Union of the Soviet Socialist Republics.

### IV. — Legal and Constitutional Questions.

#### 1. — CONVOCATION OF THE EIGHTH ORDINARY SESSION OF THE ASSEMBLY

The eighth ordinary session of the Assembly has, in accordance with the rules of procedure, been convened by the Acting President of the Council, Dr. Stresemann (Germany) for September 5th at Geneva.

As in preceding years, the Agenda includes the examination of a report on the work of the Council, on the work of the Assembly and on the measures taken to execute the decisions of the last Assembly. This will enable the Assembly to pass in review the entire work of the past year and any questions arising out of it, in particular those pertaining to arbitration, security and the reduction of armaments. The report of the International Economic Conference and reports on the past year's work of the Economic and Financial Organisation, the Health Organisation, the

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(1) See *Monthly Summary*, Vol. VII, No. 4, p. 92.

Organisation for Communications and Transit and the Committee on Intellectual Cooperation will also be considered.

" The Assembly will examine a report on the legal position of States which do not pay their contributions; a proposal of the Committee of the Council recommending the adoption of a general resolution affirming the principle of the obligation for all League members to facilitate by all means in their power the meeting of the Council in times of emergency; reports from the Advisory Committee on Traffic in Opium, from the Commission for the Protection and Welfare of Children and Young People; and a final report on the protection of Women and Children in the Near East.

Pursuant to its resolution of September 15th, 1926, the Assembly will elect three non-permanent Members of the Council for a period beginning immediately after their election and ending on the day of the elections held three years later. It will consider a report on the question of the single transferable vote and proportional representation in connection with the election of the non-permanent Members of the Council.

Any Member of the League may request the inclusion of additional items in the Agenda at least one month before the date fixed for the opening of the session, and the Assembly itself may, in the course of its session, decide to include in its agenda any question of special interest.

## 2. — INTERNATIONAL ENGAGEMENTS

### a) *Registration.*

Among the treaties and international engagements registered in May may be mentioned :

A series of agreements, treaties and notes presented by the German Government, including an exchange of notes constituting an agreement as to measures to be taken on the occasion of the evacuation of the Cologne zone, concluded at Coblenz on September 10th, 1926 by Germany and the Interallied High Commission (Belgium, France and Great Britain);

An arrangement for the exchange of German and Saar products (Berlin, November 6th, 1926), concluded by Germany and France, etc.;

A series of treaties, conventions and notes presented by the Estonian Government, concluded between Estonia and France, Hungary, Lithuania, the United States and the Union of Soviet Socialist Republics, and bearing on commercial arrangements, travelling facilities, the consolidation of debts, the recognition of tonnage certificates :

The Treaty of Execution of the Customs Union between Estonia and Latvia (Riga, February 5th, 1927; additional Protocol, Riga, March 31st, 1927), presented by the Estonian and Latvian Governments;

The Protocol relating to the Estonian Banking and Currency Reform (Geneva, December 10th, 1926), registered (as provided by Article VII), on the date of its coming into force (May 10th, 1927);

A Convention for the suppression of liquor smuggling (Washington, June 30th, 1924), concluded by France and the United States, presented by the French Government;

Conciliation and Arbitration Treaties between Poland and Sweden and Poland and Austria, respectively presented by the Polish and Austrian Governments; and

A Treaty of Friendship, Commerce and Navigation (Bangkok, July 13th, 1926) between the Belgo-Luxemburg Economic Union and Siam, presented by the Belgian Government.



b) *Adhesions and Ratifications.*

The Siamese Government has deposited the instrument of its ratification of the Agreement adopted by the First Opium Conference (Geneva, February 11th, 1925).

The Belgian Government has deposited the instruments of its ratification of the Convention and Statute on Freedom of Transit (Barcelona, April 20th, 1921), the Declaration recognising the Right to a Flag of States having no Sea-Coast (Barcelona, April 20th, 1921), the Convention and Statute on the International Régime of Railways (Geneva, December 9th, 1923), and the Convention and Statute on the International Régime of Maritime Ports (Geneva, December 9th, 1923).

The Danish Government has deposited the instrument of its ratification of the Slavery Convention (Geneva, September 25th, 1926).

## V. — The Technical Organisations.

### 1. — THE HEALTH ORGANISATION

#### *The International Rabies Conference.*

The first International Rabies Conference, with Dr. Roux in the chair, was held at the Pasteur Institute in Paris from April 25th to 30th. It was attended by representatives from Anti-Rabies Institutes in Austria, Belgium, Canada, China, Colombia, Cuba, Egypt, Federated Malay States, France, Germany, Great Britain, Holland, Hungary, India, Iraq, Italy, Japan, Latvia, Morocco, Norway, Poland, Portugal, Kingdom of the Serbs, Croats and Slovenes, Shanghai, Sweden, Switzerland, the Union of Soviet Socialist Republics and the United States of America.

This Conference was organised by the League Health Committee in view of the general interest in the treatment of hydrophobia and the numerous requests made by directors of Anti-Rabies Institutes. The decision was taken in consultation with the Pasteur Institute in Paris, the Health Committee accepting the latter's invitation to hold the Conference at the Institute.

The Conference was carefully prepared and the date for its meeting fixed in April 1927, i.e. a year from the time at which the meeting was decided upon. A detailed questionnaire was prepared in conjunction with the Pasteur Institute and sent to the principal Anti-Rabies Institutes throughout the world. The replies received and a report prepared on the basis of earlier information served as the groundwork for the discussions of the Conference.

The items on the agenda, which were divided among four committees, were concerned with the nature of the rabies virus; the methods of inoculating persons after they have been bitten; various modifications of the Pasteur treatment; general and local accidents consequent on anti-rabies inoculations; post-vaccinal paralysis; the problem of inoculating domestic animals which have been bitten and the preventive inoculation of dogs; the necessity for preparing upon a uniform basis statistics concerning the results obtained from anti-rabies treatment; legislation in force in the various countries.

The first Committee was unanimous in recognising the rabies virus as a filter-passing virus, but declared that the present state of medical knowledge did not permit of determining its exact nature. Further research work was necessary on this point.

The second Committee paid a unanimous tribute to the excellence of the Pasteur method which in essentials had remained as devised by Pasteur himself forty-

one year ago. Such variations as existed were studied and further comparative research work as to their relative value was decided upon.

The third Committee dealt with the question of post-vaccinal paralysis and other accidents and laid stress upon their rarity and mildness, as compared with the deadly nature of rabies. Here again a programme of further enquiry and study was adopted.

The fourth Committee considered the problem of animal and particularly dog vaccination as well as the question of legislation. It recommended the prophylactic vaccination of dogs as well as certain measures of administrative supervision, the destruction of infected dogs and the isolation of suspects. Cats, it considered, should never be vaccinated, while vaccination of animals other than domestic carnivora should be practised only in areas where rabies is particularly prevalent. The Committee made recommendations as to the technique of such vaccination and declared that animals bitten by rabid animals, whether treated or not after the bite, should not be butchered between the eighth day and, at the very least, the end of the third month following the bite. The only measures that would completely eradicate rabies were the restriction of the liberty of the dog, unless muzzled, to the premises of the owner, and the destruction of the ownerless dog. These measures, the Committee considered, should be embodied in the legislation of the various countries.

The Conference adopted the resolutions and recommendations of its committees and decided upon various enquiries concerning the technique of human vaccination, different kinds of vaccine, plurality of strains of street and fixed virus, the rabicidal action of the serum of man and animals during and after immunisation, etc.

It requested the Health Organisation (1) to consider the possibility of organising these investigations and of arranging for the collection and distribution to Institutes of information relating to rabies; (2) to arrange with one or more Institutes that preliminary investigations be carried out with the object of supplying all anti-rabic Institutes with a strain of fixed virus of high protective value; (3) to publish statistics on the results of anti-rabic treatment in the different anti-rabic Institutes of the world. For this purpose every Pasteur Institute should communicate each year statistics tabulated according to a schedule to be drawn up by the Health Organisation. The Conference indicated the lines on which the schedule should be composed, the nature of the information required, and the methods by which it should be elicited.

Finally, the Conference asked that the different Institutes should from time to time send their own strains of fixed virus to a specially selected Institute for comparative tests and recommended that the strains in use should be examined at regular intervals to ensure that their virulence had undergone no modification.

The Conference was attended by the following authorities :

*Austria* : Dr. B. Busson, Professor R. Kraus, Professor J. Schnurer, Dr. Franz Gerlach.

*Belgium* : Professor Bordet.

*Canada* : Dr. Fitzgerald.

*Ceylon* : Dr. Nicholls.

*China* : Dr. Wu-Lien-Teh.

*Colombia* : Dr. Edmondo Rico.

*Cuba* : Dr. Ramon Lorenzo.

*Egypt* : Dr. S. Guirguess Moftah Bey, M. I. Saroit.

*Federated Malay States* : Dr. Macalister.

*France* : Professor Roux, Professor Calmette, Dr. Cruveilhier, Dr. G. Ichok, Professor Levaditi, Dr. Manouelian, Professor A. Marie, Dr. A. L. Panisset, Professor Vallée.

*Germany* : Professor Neufeld, Professor J. Kocj, Dr. Wehrle, Professor Pfeiffer, Professor Praussnitz.

*Great Britain* : Lt. Col. A. G. McKendrick, Captain Douglas, Dr. Andrews, Dr. Scott.

*Hungary* : Dr. E. Went.

*India* : Lt. Col. I. Taylor.

*Iraq* : Dr. Mills.

*Italy* : Professor A. Di Vestea, Professor V. Puntoni, Professor G. Finzi, Professor C. Fermi, Dr. S. Lumbau.

*Japan* : Dr. Izuka, Dr. Kitajima, Dr. Y. Kusama, Dr. Kii.

*Latvia* : Professor Adelheim.

*Morocco* : Dr. Remlinger, Dr. P. Hornus.

*Norway* : M. Gram.

*Netherlands* : Professor Aldershoff.

*Poland* : Professor Brywid, Dr. Z. Karlowski, Dr. Gasiorowski, Mine. Jur-gielwicz.

*Portugal* : Dr. Pereira da Silva.

*Kingdom of Serbs, Croats, Slovenes* : Dr. A. Hempt, Dr. Palmovitch.

*Shanghai* : Dr. J. M. Jordan.

*Sweden* : Dr. Kling.

*Switzerland* : Professor Sobernheim.

*United States* : Dr. T. Clark, Dr. Atherton Seidell, Dr. C. A. Shore.

*U. S. S. R.* : Professor Zlatogoroff, Professor E. Korchoune, Dr. A. Sa-vateef.

## 2. — THE ECONOMIC AND FINANCIAL ORGANISATION

### *Fourth Session of the Mixed Committee on Economic Crises.*

The Mixed Committee on Economic Crises, composed of members of the League Economic Committee and of experts appointed by the International Labour Office, met at Geneva on May 1st and 2nd to examine a memorandum submitted by the International Labour Office on the execution of public works as a remedy for unemployment—a question which was embodied in a recommendation of the International Labour Conference of 1919.

The International Labour Office having expressed its intention of asking various Governments for information on their experience in this connection, the difficulties encountered, and the measures taken to overcome these difficulties, the Committee, while reserving the private opinion of its members, considered that the enquiry might from a practical point of view bear on the following points :

Legislative or other provisions requiring more or less explicitly the reservation of public works for periods of unemployment;

Measures for the postponement of public works in times of great economic activity, with a view to reserving them for a period of slackened economic activity;

Measures for the execution, during a period of unemployment, of public works which would under ordinary circumstances have been undertaken at some later time;•

Information concerning the nature of the works so postponed or advanced;

Methods of subsequently utilising labour set free owing to the postponement of works;

Arrangements for the accumulation by the authorities, during periods of prosperity, of reserve funds for financing public works in times of depression;

Methods employed by Governments to oblige or encourage local authorities to adopt, when desirable, a policy similar to that of Governments; etc.

### 3. — COMMUNICATIONS AND TRANSIT

#### *Statistics in Inland Navigation.*

The Committee on Statistics in Inland Navigation met at Geneva from May 16th to May 21st to consider the question of the unification of commercial statistics in European inland navigation, with a view to rendering more easily comparable the figures given by the various countries.

While devoting special attention to the problem of inland navigation, the Committee nevertheless contemplated the necessity of establishing a system which might also be applied in maritime and railway transport. For this purpose it recommended, in a report adopted on first reading, the introduction of a uniform method and nomenclature.

As regards the choice of a method, the Committee considered that commercial traffic statistics should be compiled according to quantity and category from the moment of the shipping of the wares to their unloading. In order to secure a rational and uniform system of statistics, the Committee proposed that each country should be divided into zones based on the economic character of its various districts. This division, to be made by the Government concerned after consulting its neighbours, would permit of the establishment of an extremely uniform system, which, to be of real practical use, should be applicable both to inland navigation and maritime transport. The Committee further emphasised the necessity of discriminating between maritime and river transport and recommended a special chapter for combined transport so long as this category had not been recognised by international agreement.

With regard to nomenclature, the Committee recommended that commercial statistics, in order to meet the requirements of traffic and trade, should not deviate from the standard established by the Brussels Convention, and suggested that a fairly detailed nomenclature should be compiled, bearing on 130 articles classified according to production. Should this system appear too detailed for certain States, the Committee proposed the establishment of nineteen categories of wares, based on the relative importance of the quantities consigned for transport.

Both these systems—of detailed and abridged nomenclature—might, the Committee considered, apply equally well to railway and maritime statistics.

## VI. — Administrative Questions.

### TWENTY-NINTH REPORT OF THE SAAR GOVERNING COMMISSION

The Saar Governing Commission forwarded to the Secretary-General the twenty-ninth quarterly report covering the first three months of 1927. The principal features may be summarised as follows :

*Economic and Social Situation.* — In its preceding report, the Commission had expressed some apprehension with regard to the economic situation of the Saar territory. The position during the first three months of 1927 showed that these apprehensions were justified in a large measure. Saar business circles, in particular, complained of difficulties encountered in export sales. The complaints seemed well-founded, and the Commission reached the conviction that energetic action was necessary in order to safeguard the prosperity of the Saar, which is a highly industrial region with a population living by industry and mining.

The first steps taken by the Commission resulted in a reduction of the price of coal which the Mines Administration agreed to apply without lowering wages;

a reduction in railway goods tariffs; and the study of a scheme of reform as regards taxes on earned income.

Subsequently, the State Mines Administration and the Saar Employers' Syndicate decided, nevertheless, to proceed to a reduction of wages in order to render possible a further reduction in the price of coal and avoid a serious unemployment crisis. On this occasion the Commission intervened to ward off a stricke, the consequences of which might have been disastrous.

The Commission hopes that the reduction of coal prices and railway tariffs will be followed by the introduction of special tariffs for the exportation of Saar products to Germany and via Antwerp, and that the reduction in wages will enable the Saar industry to cope with the situation arising from the appreciation of the French currency and to reduce unemployment to a minimum.

*Financial and Economic Situation.* — The provisional budget for 1927 (April 1st, 1927 to March 31st, 1928) may be considered as balanced, equilibrium having been assured by adding to the revenues a surplus from preceding years amounting to 20,982,451 francs.

To enable the Saar territory to adjust itself to the new economic conditions and the working classes to support the adjustment of their wages, the Commission decided at its meeting of March 29th, 1927, to submit to the people's representatives a draft decree increasing the rebate granted for professional and family charges. Urgent measures were taken for the submission to the Advisory Council of draft decrees concerning modifications in the income and turnover tax system. The definitive decrees will probably come into force on May 1st, 1927.

The Governing Commission decided to invite the French Government to enter into negotiations with a view to determining, as from April 1st, 1928, the coefficient upon which the contribution of the Mines to the Saar budget is based. It considered that the change in economic conditions since 1924 justified the revision of the coefficient, an operation which would, moreover, give satisfaction to the population.

The cost of living having fallen in the territory, the Commission proceeded to an adjustment of the salaries of all officials, including those of the railway and postal administrations, thus economising approximately twenty-six million francs. It was this measure which enabled the Commission to reduce the goods tariffs and the income tax, as mentioned above.

The Economic Department took an active part in the campaign against the increased cost of living. The indices given in the report show a marked tendency to a fall in prices, the cost of living index having fallen by nine per cent during the period from October, 1926, to March, 1927.

*Population and Public Health in 1926.* — In 1926, the population of the territory rose from 773,764 to 786,108; this denotes an increase of 12,344 compared with 10,568. in 1925. The number of viable children was 17,571 compared with 18,760 in 1925. There were 8,596 deaths (8,360 in 1925). The excess of births over deaths was 8,975 (10,434 in 1925) and an increase of 3,369 (134) was due to immigration. The increase of population due to immigration has risen from 0.17 ‰ to 4.2 ‰.

One quarter of the number is accounted for by immigration from territories bordering on the Saar. The decrease in the excess of births over deaths is due at once to the increase in the death rate and the decrease in viability.

The report draws attention to the measures taken to cope with the housing crisis; the execution of a general road improvement programme; the increase of the number of telephone lines between the Saar and Germany and the Saar and France; the development of professional training colleges; the activity of the social welfare and public assistance department; and the subsidies granted by the Central Agriculture Office to the various districts (Kreise) and to the breeders' associations.

## VII. — Social and Humanitarian Questions.

### MEETING OF THE ADVISORY COMMISSION FOR THE PROTECTION AND WELFARE OF CHILDREN AND YOUNG PEOPLE (1)

The Advisory Commission for the Protection and Welfare of Children and Young People met in Geneva from April 25th to May 6th, under the chairmanship of M. Regnault (France). The Traffic in Women and Children Committee sat from April 25th to April 29th, the Child Welfare Committee from May 2nd to May 6th. On April 30th there was a plenary meeting of the Advisory Commission to deal with questions of interests to both Committees. All the meetings were public.

#### a) *Traffic in Women and Children.*

The Traffic in Women and Children Committee sat in Geneva from April 25th to April 30th.

In opening the session of the Traffic in Women and Children Committee, the Chairman, M. Regnault, paid a tribute to the memory of Miss Annie Baker, who for many years had represented the International Bureau for the suppression of the Traffic in Women and Children. He then welcomed the new members and assessors — M. Ito (Japan), Dr. Gertrud Baumer (Germany) and the Rev. Hoffmann de Visme (Assessor). Miss Grace Abbott (United States of America) and Dr. Paulin Luisi (Uruguay) were unable to attend the meeting.

*Report of the special Body of Experts (2).* — The greater part of the Session was devoted to the consideration of the first part of the report of the Special (2) Body of Experts on its enquiry into the traffic in women.

After expressing its opinion that the report gave information of the greatest value, not only to Governments, but also to philanthropic associations, the Committee passed a vote of thanks to the Body of Experts, and especially to the Chairman, Dr. Snow (American), the Director of Investigations, Mr. Bascon Johnson (American) and their assistants.

The conclusions of the report were then thoroughly discussed. It was noted that there were still many Governments which were not parties to the Convention on Traffic in Women and Children and the Committee expressed the opinion that without fuller co-operation, the international machinery for the suppression of the traffic could only be partially effective. It emphasised the value of direct administrative co-operation by means of regular correspondence between the central authorities on matters connected with the traffic.

With regard to the employment of women abroad, in particular, the question of contracts for music hall artists, the Committee considered that suitable measures might be taken to ensure the material and moral protection of women employed in such establishments, and requested that an enquiry should be undertaken by the League Secretariat in conjunction with the International Labour Office. It asked the Council to invite the Governments to supervise the conditions under which girls under eighteen were allowed to travel abroad with contracts of employment.

The Committee recommended that stern measures should be taken by Governments in regard to procurers and souteneurs, and that when they were of foreign nationality they should be expelled, in addition to any other penalty inflicted.

The Committee noted the experts' observations with regard to the control of licensed houses and prostitution, and the effects of the low wages paid to women

(1) For the composition of the Commission, see *Monthly Summary*, Vol. VII, No. 4, p. 103.

(2) See *Monthly Summary*, Vol. VII, No. 3, p. 86.

in certain employments. In regard to the former question it decided to postpone its discussion, in view of the fact that certain members of the Committee required further information. Certain aspects of the question of wages might, the Committee considered, be examined in conjunction with the International Labour Office.

The Committee noted the observations of the experts on the questions of the age of consent and education in sex matters.

*Annual Reports.* — The Committee noted with regret that certain countries had not submitted annual reports for 1925, and took measures for Governments to be reminded each year to send in their reports in time for the annual meeting of the Committee.

*Law and Regulations.* — The American Social Hygiene Association had undertaken to prepare a digest of laws and regulations relating to the traffic; the Committee decided that this digest, which was nearly finished, should be sent in proof from to Governments, to enable, them to review, and, if necessary, complete the text.

*Reports from charitable Organisations.* — The Committee noted the views of the various charitable organisations and their affiliated societies on the employment of women police, the question of the age of marriage and consent etc. It expressed its appreciation of the efforts of the Organisations.

*Enquiries and Questionnaires.* — The Committee considered the progress of its enquiries on licensed houses, the expulsion of foreign prostitutes and the employment of women police. As regards the traffic in obscene publications, it noted that comparatively few Governments had replied to its questionnaire and recommended that the Council should invite Governments which had not already done so to ratify or adhere to the International Convention for the Suppression of the Traffic in Obscene publications.

#### b) *Child Welfare.*

The Child Welfare Committee met from May 2nd to May 6th.

Miss Charlotte Whitton, of the Social Service Council of Canada, being unable to attend, the Chairman, at her request authorised Dr. Riddell, Canadian advisory Officer to the League, to follow the discussion on her behalf. Dr Leon Bernard of the League Health Organisation, was also unable to attend.

*Relief and Repatriation of Minors : Enforcement of judgments relating to Maintenance.* — The Committee considered a report from its Legal Sub-Committee on the stage reached as regards its work on two draft conventions, one relating to the relief and repatriation of minors, the other to the enforcement of the obligation to provide maintenance when the parents were not resident in the same country as their children.

The Committee noted that the questionnaire on the draft convention had been answered by the Belgian, American, French, British and Roumanian Governments, by the International Labour Office and the International Child Welfare Association. The International Union of the Save the Children Fund informed the Committee that it had undertaken a special enquiry on the subject the results of which would be communicated next year. The Committee decided to recommend that States which had not yet answered the questionnaire should be invited to do so as soon as possible in order that the Legal Sub-Committee might be in a position to submit a comprehensive report on the subject.

*Rehabilitation of Unmarried Mothers : Protection of Illegitimate Children.* — On this subject the Committee had before it a report from the Women's Committee of the Amsterdam International Federation of Trade Unions. While refraining

from any opinion on the laws dealing with the subject in different countries, the Committee thought it would be useful to collect for later discussion particulars of the special arrangements in force for the protection of illegitimate children. It accordingly requested the Council to instruct the Secretary-General to send to all States a questionnaire bearing on the rights and obligations of parents as towards illegitimate children, affiliation proceedings, the legitimisation of illegitimate children, the maintenance, inheritance or succession rights of illegitimate children, the official guardianship and the moral and material protection of illegitimate children.

*Enquiries concerning the Mental, Moral and Physical Wellbeing of Children.* — To give effect to a recommendation of the Seventh Assembly, that the Committee should continue its investigation of the effects of the cinematograph on the mental and moral wellbeing of children, the Committee requested the Council to ask Governments for information as to

(1) Arrangements which might usefully be made for the exchange of information in regard to suitable or unsuitable films for children and young people;

(2) Facilities which might be given for the better international circulation of films specially suitable for children either for instruction or amusement.

The question of the mental and physical recreation of the child was carefully considered by the Committee, which decided to appoint a certain number of rapporteurs to collect information for discussion at a later session.

As regards the protection of life and health in early infancy the Committee noted a report from the League Health Section on the work of the Sub-Committee of Experts on Infant Hygiene. It requested the Health Organisation to refer to it all documents dealing with the social aspect of the question, the medical side of the matter being reserved for the Organisation in question.

The question of family allowances was dealt with in a report from the International Labour Office. The Committee considered that, while the information submitted was not sufficient to justify definite conclusions as to the effect of the system on the wellbeing of children, it was sufficient to justify it in requesting the International Labour Office to continue its investigations and furnish a further report.

On the subject of Juvenile Courts the Committee, after hearing a statement by Professor van de Aa, Secretary-General of the International Prison Commission on the enquiry conducted by that Commission, instructed the Secretariat to await the results of the enquiry and submit a report at its next session.

The question of blind children was fully dealt with in a report presented by M. François Martin, Assistant Delegate of France. The Committee decided to examine at its next session any reports which specialised associations might submit and suggested that its members should collect information on statistics and causes of blindness, assistance to blind children, the education, of blind children, their training and the occupations for which they were suited. The International Labour Office was also invited to give information on the last question.

The question of feeble-minded children was placed on the agenda of the next annual session.

\* \* \*

The question of the *Age of Marriage and Consent* was dealt with by both the committees of the Advisory Commission, the problems involved concerning both the traffic in women and child welfare.

The Commission expressed its opinion that the fixing of too early an age of consent was likely to encourage the traffic. It accordingly requested the Council to draw the attention of Governments to the necessity of fixing this age sufficiently late to ensure the effective protection of children and young people. The question of the age of marriage and its possible relation to the age of consent was postponed to its next session.





Pursuant to a memorandum submitted by the British delegate, the Committee appointed an Agenda Sub-Committee, to meet at the close of each session and prepare the programme for the following session. This Sub-Committee met on May 5th and drew up a provisional agenda for the next annual session.

## VIII. — Miscellaneous Questions.

### COMPETITION FOR A LEAGUE BUILDING

At a public meeting on May 5th, the Jury of Architects appointed to examine designs for a League Assembly Hall and offices announced the results of its six weeks' study of the three hundred and seventy-seven plans which had been submitted.

After jointly and severally examining the plans from the point of view of site, traffic inside and outside the buildings, arrangement and form of premises, construction and harmonious, and logical architectural development, the Jury drew up a report in which it stated that it had found an extraordinary wealth of ideas, but had been reluctantly compelled to realise that its work had been rendered difficult by the fact that a considerable proportion of the competitors had not adhered strictly enough to the material conditions required by the programme and the rules.

In these circumstances the Jury unanimously decided that it would not be possible for it to recommend any one plan for execution. It distributed the sum of 165,000 Swiss francs, placed at its disposal, in nine prizes of 12,000 francs, nine honourable mentions of 3,800 francs, and nine honourable mentions of 2,500 francs each.

The League Building Competition, which opened on July 23rd, 1926, and closed on January 25th, 1927, was held in accordance with the decisions of two Assemblies — the Fifth Assembly of 1924, and the Special Assembly of March 1926. It was open to architects from all States Members of the League, the Free City of Danzig and the Saar Territory.

The site chosen was on the northern shore of Lake Geneva and covered an area of 66,406 square metres. The buildings to be designed consisted of two principal parts, either separate and connected by galleries, or in a single building with lobbies and special exists. The cost of construction was fixed at not more than 13,500,000 Swiss francs, the architects' fees at 5 per cent.

In accordance with the rules of competition the designs will be publicly exhibited for not less than a fortnight. It is probable that the exhibition will open between June 25th and July 1st and will be held in the Bâtiment Electoral at Geneva (1).

The Jury was composed of M. Horta (Brussels), Chairman; M. Berlage (The Hague); Sir John Burnet (London); M. Gato (Madrid); M. Hoffmann (Vienna); M. Lemaesquier (Paris); M. Moser (Zurich); M. Muggia (Bologna); M. Tengbom (Stockholm).

The prize-winners were :

I. *Prizes of 12,000 francs.* — Ing. Comm. Carlo Broggi, Arch. Giuseppe Vaccaro and Arc. Luigi Franzi (Rome); Nils Einar Eriksson (Stockholm); M. Camille Lefevre (Paris); M. L. Corbusier and M. P. Jeanneret (Paris); M. Erik zu Putlitz,

(1) An illustrated album containing photographs of the prizewinning plans is being prepared and will be put on sale on the opening day of the exhibition.

M. Rudolf Klophaus and M. August Schock (Hamburg); M. Georges Labro (Paris); Professor Emil Fahrenkamp and M. Albert Denene (Dusseldorf); M. Julien Flegenhaimer (Geneva) and M. H. P. Nenot (Paris); M. Giuseppe Vago (Rome).

II. *Honorable Mentions of 3,800 francs.* — M. Hendrikus Theodorus Wijdeveld (Amsterdam); M. Giuseppe Boni and Comm. Arch. Adamo Boari (Rome); M. René Patouillard Demoriane (Paris); Professeur Paul Bonatz and Architect F. E. Scholer (Stuttgart); M. Pierre Guidetti and M. Louis Guidetti (Paris); M. Louis H. Boileau and M. P. Le Bourgeois (Paris); Professeur Alfred Fischer and M. Richard Speidel (Essen); Carl Martin Tage William Olsson (Stockholm); Evert Van Longe (Groningen).

III. *Honorable Mentions of 2,500 francs.* — M. Hannes Meyer and M. Hans Wittwer (Bâle); M. A. Laverrière and M. Charle Thevenaz (Lausanne); M. J. C. Lambert (Paris), M. G. Legendre (Paris) and M. Jean Camoletti (Geneva); M. Marcello Placentini, M. Gaotano Rapisardi and M. Anhiolo Mazzoni (Rome); M. J. M. Luthmann and M. H. Wouda (The Hague); M. J. E. P. Hendrickw and M. Jean de Ligne (Brussels); M. Gustaf Birch-Lindgren and M. Hakon Ahlberg (Stockholm); M. Anton Rosen (Copenhagen).

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The South African Government has informed the Secretary-General of its intention to make a gift of panelling in South African wood for one of the Committee rooms in the new League building.

An offer of the same kind was made by the New Zealand Government in January, 1926, when it informed the Secretary-General of its desire to present the League with New Zealand wood panelling and a Presidential chair in Samoan wood for one of the Committee rooms.

## IX. — Forthcoming Events.

- June 15th : Twelfth Ordinary Session of the Permanent Court of International Justice, The Hague.
- June 17th : Meeting of the Experts on National Defence Budgets, Geneva.
- June 20th : Session of the Permanent Mandates Commission, Geneva.
- June 23rd : Meeting of the Mixed Committee of Experts on the question of counterfeit currency, Geneva.
- June 24th : Meeting of the Sub-Committee on Combined Transport, Dresden.
- June 27th : Meeting of the Sub-Committee on the Cardinal System of Buoyage, Stockholm-Helsingfors.
- July 1st : Meeting of the Supervisory Commission, Paris.
- July 4th : Conference for the constitution of an International Relief Union, Geneva.
- July 4th : Meeting of the Sub-Committee of Experts for the Instruction of Youth in the Aims of the League, Geneva.
- July 5th : Meeting of the Sub-Committee on Maritime Tonnage Measurement, London.
- July 20th : Meeting of the International Committee of Intellectual Co-operation, Geneva.

## X. — Publications of the International Institute of Intellectual Co-operation.

### *Bulletin of the International Museum Office.*

The International Museum Office, recently founded as part of the Institute of Intellectual Co-operation, has published the first number of its review "Mouseion".

This publication will be issued regularly in April, August and December, and will contain information on the work of the Office and all questions relating to the international organisation of museums.

The first number contains a summary of the discussions of the Committee on Intellectual Co-operation which led to the formation of the Office; the programme of the Office; and articles on the agreement reached by the national chalcographic institutes on co-operation between cast workshops, and on the question of collections of photographic reproductions of works of art.

There is a chapter on the work of the various museums, with notes on the Fine Arts Museum in Budapest, the Fine Arts Museum in Brussels, and the Trocadero Museum (compared sculpture) in Paris.

Regular information will be given on the activity of museum associations. The first number has articles on the American Museum Association and the French *Association des conservateurs de musées et collections publiques*.

Finally, the "Mouseion" will gradually publish an international museum repertory, beginning in the April number with the Dutch and the Dutch East Indian Museums and supplemented by illustrations of works of art contained therein.

### *Bulletin of Artistic Relations.*

The Section for Artistic Relations of the Institute is publishing a series of bulletins dealing with international organisation in its application to the fine arts.

The first number, which has just appeared, is devoted to "Intellectual Co-operation and the Fine Arts", and describes the work done in this connection by the Committee on Intellectual Co-operation, its Sub-Committee on Arts and Letters, the Institute of Intellectual Co-operation and the International Museum Office.

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## ANNEX

### THE INTERNATIONAL ECONOMIC CONFERENCE (Geneva, May 1927) <sup>(1)</sup>.

#### FINAL REPORT

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(1) The report, with the resolutions, was adopted unanimously by the members of the Conference except for the abstention of the members of the U. S. S. R. delegation (who, however, declared themselves in favour of certain resolutions indicated in the Annex to Section 3 — General Resolutions) and of the members of the Turkish delegation.

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## INTRODUCTION

1. In its resolution of September 24th, 1925, relating to the summoning of an International Economic Conference, the Assembly of the League of Nations declared itself "firmly resolved to seek all possible means of establishing peace throughout the world" and affirmed its conviction that "economic peace will largely contribute to security among the nations". It further emphasised the "necessity of investigating the economic difficulties which stand in the way of the revival of general prosperity and of ascertaining the best means of overcoming these difficulties and of preventing disputes".

The Economic Conference has constantly kept these general directions in view. At the end of nearly nine years after the war, during which the disturbances resulting from that unprecedented catastrophe have had time to reveal their permanent effects, the Conference has used its best endeavours to discover and analyse the fundamental causes of the troubles from which the world is at present suffering, and to find remedies which, if they will not effect a complete cure, will at least afford some of the relief for which the civilised world is so insistently calling.

## THE ECONOMIC SITUATION

2. The documentation prepared by the Secretariat under the direction of the Preparatory Committee, to which many commercial and industrial organisations in various countries and many individual experts have contributed, presents a picture of the economic condition of the world with a fullness and authority which has probably never hitherto been attained. It is only possible to refer in the briefest way to the results shown in these reports.

A general impression of the change which has taken place since the war can be gathered from the statistics which have been compiled of the world's production of food-stuffs and raw materials. The figures show that, whereas in 1925 the world's population was about 5 per cent greater than in 1913, production of foodstuffs <sup>(1)</sup> and of raw materials was from 16 to 18 per cent greater. In other words, production and consumption, both in total and per head of the world's population, are greater than before the war.

This increased production of food and raw materials <sup>(2)</sup> has, however, not been accompanied by a corresponding increase of international commerce, for the volume of trade in 1925 was only 5 per cent higher than before the war.

3. But these statistics relate to the world as a whole. They do not represent the position of each continent. While certain parts of the world have progressed considerably more than these average figures indicate, there are other continents, notably Europe, which are far behind. The production of Europe, whose population has increased by 1 per cent, was in 1925 about 5 per cent greater than in 1913, an increase materially slower than in pre-war years, while its international trade was only 89 per cent of the pre-war volume. Further illustration of the fact that the economic difficulties are most acute in Europe is to be found in the volumes on special industries. Its most distressing symptom is the abnormal degree of unemployment which still obtains in certain countries, while its financial reactions are shown in the burdensome taxation and inadequate savings of Europe.

4. It would, however, be a mistake to assume that the economic condition of Europe could be so seriously disorganised without affecting that of the rest of the world.

(1) Excluding China.

(2) The production of finished commodities must have increased faster than these figures, since technical progress largely consists of the more complete and more economical use of raw material.

Other countries certainly feel the effects of Europe's reduced consuming power. There also is no doubt that the world is affected by the fact that Europe has been compelled for the time being to renounce several of the functions in world economy which had previously been hers.

5. But neither in Europe nor in the rest of the world is the economic position uniformly good or bad. On the contrary, the depression is clearly concentrated in certain main trades. Some of these, such as the iron and steel industry, shipbuilding, and the chemical trades, were artificially expanded to meet war needs. Demand has, however, been restricted by the fact that lack of capital resulting from diminished savings has prevented economic development on the same scale as before the war. The iron and steel industry, which is largely concerned with providing fixed capital in various forms, is particularly affected by this fact. Other industries, of which the cotton industry is a notable example, have had to adapt themselves to a very considerable increase in productive capacity in distant countries. Others, again, like the coal trade — the demand for whose product has been considerably checked by alternative sources of power and by economics in the use of fuel — have suffered, while the petroleum and electric power industries have prospered. But perhaps the most extreme example of dislocation is that of shipping, for, whereas the world's total mercantile tonnage has increased by 38 per cent, the volume of goods to be carried by sea has hardly increased at all. The condition of these trades is in sharp contrast to that of many industries providing articles of immediate consumption or even of luxury. The production of motor-cars, artificial silk, and rubber goods may be taken as examples.

But though the harmful effects of the war have been concentrated on a few special trades, the depression has inevitably limited the expansion that would have taken place in other directions, for by creating complete or partial unemployment it has diminished the purchasing power of a large industrial populations.

6. Moreover, the troubles of industry have an even wider repercussion, since they affect in a similar way the whole of the world's agriculture. Agriculture, which is daily becoming more industrial in its processes and methods, suffers directly from the fact that the prices of industrial products in certain countries have for some years remained relatively high, while those of agricultural products have been on a comparatively lower level. The agriculturist complains that he buys the manufactures which he needs at high prices, but sells at low prices the products of the soil. The documentation of the Conference indicates that, if agricultural prices are low and the agricultural community in many countries in a state of depression, it is not because there has been any abnormal increase in the production of foodstuffs but because the demand from certain manufacturing communities in Europe is inadequate.

7. Thus, while the documentation of the Conference serves on the one hand to pick out the darkest spots in the present situation, it also emphasises on the other the interdependence of nations, of industries and of classes. During the great war, the nations were driven temporarily to live to a quite abnormal extent on their own resources, but this condition of self-sufficiency — incomplete though it was — was only attained at the cost of hardships which tended rapidly to become almost intolerable. The attempts after the war to seek prosperity by a policy of economic isolation have, after an experience of nearly nine years, proved a failure. The opinion of the world is beginning to understand that prosperity is not something which can be enjoyed in small compartments.

## POST-WAR PROBLEMS

8. Immediately after the war, many people naturally assumed that the war and the war alone was the reason for the dislocation that emerged in the economic relations of individuals, of nations and of continents. A simple return to pre-war conditions seemed in the circumstances the appropriate objective of economic policy which would be sufficient to cure the current difficulties. It is an instinctive tendency of mankind to turn to the past rather than to the future and, even at a moment when an old is being displaced by a new, to revert to former ideas and to attempt to restore the traditional state of affairs. Experience has shown, however, that the problems left by the war cannot be solved in so simple a manner.

At first, this desire to return to the pre-war regime was a wise as well as a natural instinct; for the first and most urgent task after the war was to re-start the economic life of the world which had been so sharply interrupted. Economic policy had therefore to deal with the temporary consequences of the war and endeavour to remove the obstructions to production and trade which it left behind.

9. One of the most widespread and far-reaching of these difficulties was the disorganisation of public finances and the depreciation of currencies. At the time of the

Brussels Conference, only four European countries had succeeded in balancing their budgets. Now, nearly every country has established its budgetary equilibrium.

If this indispensable first stage of financial reconstruction is not yet quite complete, and if it would be too much to say that in each individual country financial stability is assured, it is at least true that, in general, a disorganised condition of public finances and fluctuations in the various currencies in relation to each other are not at the present moment a factor of primary importance in depressing trade and production.

10. Another difficulty which has played a great part in recent years has been the shortage of capital. The low level of production that followed the war left in Europe, at all events, no margin for saving. This situation has gradually changed. The recovery of production in Europe, together with a growing sense of security, has revived the process of saving and stimulated the international movement of capital. These developments have restored a more normal — though still inadequate — supply of capital, the evidence of which is the fall in the rate of interest from the excessive figures which at one time prevailed in several countries, particularly in Central Europe, to more normal levels. The rapidity with which rates have fallen is to a certain extent a reflection of the growing freedom of the movement of capital.

11. Similarly, in the case of international commerce, the conditions immediately succeeding the war did not permit of the immediate resumption of normal trading relations. Extreme forms of obstructions to trade were consequently imposed; but many of these have since been substantially removed, and liberty of trading, subject to the tariff and other barriers which are dealt with in paragraph 19, has been largely restored.

12. But while the new economic situation of Europe since the war contains some features which are fortunately of a temporary character, there are others which we cannot hope to change for a considerable time to come, and others which must be regarded as permanent. The passing away of temporary financial and economic difficulties which have hitherto almost monopolised public attention now enable us to see more clearly and to study these more deeply rooted changes in the economic situation of the world. It is hopeless to try to solve such problems by striving after the conditions of 1913. In the face of a new situation new remedies must be found.

13. Some of these permanent changes, like the difficulties previously referred to, are the direct result of the war. For example, the belligerent countries of Europe have been left with financial difficulties which have extended to many other countries and will take many decades to remove. Not only is there in many countries a heavy annual charge for war debts but also every belligerent country will for many years have to find the funds for war pensions. These burdens are in addition to the cost of current armaments, which still weigh heavily on the finance of the nations of the world. The level of taxation in relation to resources is therefore likely to remain very much higher in Europe for a long time to come than it was in 1913.

14. Moreover, the external obligations arising out of the war have an international economic significance. Taken in conjunction, on the one hand, with the loss of their foreign investments which certain nations have suffered, and, on the other, with the new loans which many of them have raised abroad, they have changed the balance of public and private indebtedness between nations as compared with the pre-war situation. This is one of the factors that ultimately involves a change in the distribution and direction of international trade; for the ultimate settlement of net balances due from one country to another must be made by means of goods and services—although not necessarily by the transfer of the debtor's goods and services direct to the creditor.

15. Another change which has an influence on the distribution of industry, on commercial policy and on trade is a reduction in the streams of emigration. This fact, taken in conjunction with the great differences in the natural increase of various nations, is causing changes in the relative density of population. Those countries in which there is a rapidly increasing excess of population in relation to their territory and natural resources have consequently intensified their industrial activity and attach particular importance to the adoption by other countries of a liberal policy in relation to raw materials. So far as Europe is concerned, the emigration problem has been partially and temporarily met by an abnormal amount of migration between the various continental countries.

16. Some of the changes, however, which our survey reveals are by no means entirely to be attributed to the effects of the war. European opinion is beginning to realise that the war has hastened changes in the world situation which had begun in the early years of the 20th century. After a whole century, during which other continents had been willing to supply Europe with raw products in return for the manufactures which Europe alone was in the position to make, a careful observer in 1905 or 1906 — or possibly twenty years earlier in the case of the United States — could have perceived that a new

chapter was opening in the history of these distant countries, the chief characteristic of which was the endeavour to establish manufacturing industries of their own. The war greatly stimulated this development by restricting and diverting foreign trade between Europe and the rest of the world.

17. But at the moment of facing this new situation, Europe finds herself severely handicapped. Some of her temporary difficulties have already been referred to. There are other which, in greater or less degree, affect the internal economy of various countries. Currency disorders have resulted in almost every country in a disproportion in the wage levels in various trades, in the prices of different commodities and in the relation between wages and prices, while the difficult adjustments which these conditions have involved have resulted in industrial disputes and sometimes in great social changes. These matters are outside our terms of reference, but they cannot be overlooked in an attempt to explain the causes of the present economic disequilibrium.

18. But Europe is also handicapped by problems of an international character. The effort to restore her economic position calls for the rationalisation of industry and a co-ordination between the economic efforts of various countries. It has to be recognised that the possibility of Europe being organised as an economic unit is more remote than before the war, partly because of excessive economic nationalism, which was the natural consequence of the war and is only now subsiding, and because of the economic consequences of retracing frontiers. This nationalisation and these territorial readjustments have resulted in the duplication of industrial plant and in a failure to apply the principles of division of labour between the various States of Europe. The normal process of interchange between the numerous units which constitute the new Europe has been seriously interrupted. The markets which certain areas had supplied before the war have been lost to them, and everywhere it has been necessary to seek new openings for trade.

Both in its trade relations with other continents and in its own internal intercourse, Europe, under the special circumstances of the day, urgently needs greater liberty for trade and commerce. In actual fact, this liberty is still substantially less than before the war.

19. The documentation of the Conference gives an account of the tariff situation of the world. Reference has already been made to the extreme forms of obstruction which were imposed immediately after the war but have since been largely removed. Europe remains to-day, however, with its tariffs higher and more complicated, less stable and more numerous than in 1913. Moreover, Europe has failed to restore its former system of commercial treaties, and the habit has developed of putting tariffs designed for purposes of negotiation into force before those negotiations take place. If, as has often happened, these tariffs have failed to result in agreement, the obstruction remains higher than before. The tendency of the last three years has continued to be in an upward direction, and the increased level has not been balanced by those commercial treaties which have, in fact, been made.

20. Such are the main features of the situation with which the Conference has been called upon to deal and in regard to which it has put forward the recommendations contained in the reports of the various committees.

## GENERAL RESOLUTIONS

### (a) ECONOMIC TENDENCIES AFFECTING THE PEACE OF THE WORLD

The Conference :

Recognising that the maintenance of world peace depends largely upon the principles on which the economic policies of nations are framed and executed :

Recommends that the Governments and peoples of the countries here represented should together give continuous attention to this aspect of the economic problem, and looks forward to the establishment of recognised principles designed to eliminate those economic difficulties which cause friction and misunderstanding in a world which has everything to gain from peaceful and harmonious progress.

### (b) ARMAMENT EXPENDITURE.

Whereas the world as a whole devotes considerable sums to armaments and to preparations for war, which reduce the savings available for the development of industry, commerce and agriculture, are a heavy burden upon the finances of the different States, entailing heavy taxation which reacts upon their whole economic life and lowers their standard of living,

**The Conference :**

Expresses the earnest hope that all efforts to effect, by agreements between States, limitation and reduction of armaments, and particularly those under the auspices of the League of Nations, will have successful results and thus alleviate the burdens described above.

**(c) EDUCATION AND PUBLICITY**

The Conference recognise that the reception and successful application of the principles stated in the resolutions of the Conference depend, not only upon the good-will of Governments and Administrations, but upon an informed and supporting public opinion throughout the world, and for this purpose would welcome, in the economic as in other fields, the development of closer international co-operation by scientific and educational institutions, as well as the help of the Press and other agencies of importance, for the information and enlightenment of the public.

**(d) PACIFIC COMMERCIAL CO-OPERATION OF ALL NATIONS : APPLICATION OF RESOLUTIONS TO THE U. S. S. R.**

The Conference :

Recognising the importance of a renewal of world trade;

Refraining absolutely from infringing upon political questions :

Regards the participation of members of all the countries present, irrespective of differences in their economic systems, as a happy augury for a pacific commercial co-operation of all nations.

It is, of course, understood that, the members of the U. S. S. R. having declared that they are in favour of the resolutions in the annexed list, the remaining resolutions of the Conference will not be regarded as having effect as regards the U. S. S. R.

**LIST TRANSMITTED TO THE SECRETARIAT BY THE MEMBERS OF THE U. S. S. R. DELEGATION.**

The delegation of the U. S. S. R. votes *for* the following resolutions :

**Commerce.**

**II. Custom Tariffs.**

No. 1. — Simplification of Customs tariffs.

No. 2. — Unification of tariff nomenclature, with the reserve that the U. S. S. R. cannot associate itself with the invitation to the League of Nations.

No. 4. — Application of tariffs.

No. 5. — Customs formalities.

No. 6. — Trade statistics.

**III. Commercial Policy and Treaties.**

No. 2. — Fiscal charges imposed on imported goods.

No. 4. — Commercial treaties, with the reserve concerning the invitation to the League of Nations.

**IV. Indirect Means of Protecting National Trade and National Navigation.**

No. 1. — Subsidies, direct or indirect.

No. 2. — Dumping and anti-dumping legislation.

**Industry.**

The U. S. S. R. delegation, while in agreement with the principles underlying the proposals put forward in the resolutions of the Industry Committee concerning "information", *abstains* from voting for the draft resolution concerning "Information", because the U. S. S. R. proposal to entrust this work to the International Institute of Statistics of The Hague was rejected.

**Agriculture.**

The U. S. S. R. delegation votes *for* the special resolutions :

3. — Campaign against the diseases affecting plants and animals.

5. — Forestry.

6. — Documentation on agricultural questions, statistics, enquiry.





*Note.* — The members of the U. S. S. R. declared that they are in favour also of the resolutions enumerated below. They accompanied their adhesion by a declaration contained in the *Verbatim Record of the Conference*.

The resolutions in question are the following :

- (a) Economic tendencies affecting the peace of the world;
- (b) Armament expenditure;
- (c) Education and publicity.

## COMMERCE

### INTRODUCTION

The programme with regard to Commerce laid down by the Conference Agenda included a large number of subjects relating to the most important aspects of international trade.

Whatever the particular subject under discussion, it became apparent, from the facts and evidence presented to the Conference, that each nation's commerce is to-day being hampered by barriers established by other nations resulting in a situation, especially in Europe, that is highly detrimental to the general welfare.

In spite of the variety of questions raised, the diversity of theories, and the legitimate national sentiments of all those who took part in the discussion, one important and extremely encouraging fact has emerged; and, having emerged, has become increasingly manifest as the work has advanced. This fact is the unanimous desire of the members of the Conference to make sure that this Conference shall, in some way, mark the beginning of a new era, during which international commerce will successively overcome all obstacles in its path that unduly hamper it, and resume that general upward movement, which is at once a sign of the world's economic health and the necessary condition for the development of civilisation.

A second fact, which is no less important than the first, is the mutual reaction which takes place between the measures taken by the different States for the benefit of their national economic interests. The tendency to equalise the level of Customs protection in the various countries; the desire of each nation to improve its position pending trade negotiations; the impulse to take reprisals against particularly harmful foreign tariff measures; the tendency to retain for national consumption certain goods which have been rendered scarce by restrictive measures in the country of origin; the anxiety to maintain equal competitive conditions in matters of transport and credits; sometimes perhaps the mere contagious effect of example — all these circumstances cause each economic measure taken by one nation at a given time to react almost invariably on the policies of all other nations.

Thus any strictly nationalistic policy is harmful not only to the nation which practise it but also to the others, and therefore defeats its own end, and if it be desired that the new state of mind revealed by the Conference should lead rapidly to practical results, any programme of execution must include, as an essential factor, the principle of *parallel* or *concerted* action by the different nations. Each country will then know that the concessions it is asked to make will be balanced by corresponding sacrifices on the part of other countries. It will be able to accept the proposed measures, not merely in view of its own individual position *but also because it is interested in the success of the general plan laid down by the Conference*.

It is, of course, well, at this point, to avoid any misunderstanding; if concerted action is indispensable, it is, unfortunately, by its very nature, comparatively slow, and nations must not allow themselves to make it an excuse for postponing the execution of the measures individually incumbent on each of them. Such measures should, on the contrary, form the firmest basis for the collective work which is destined one day to crown their efforts.

The first step has already been taken towards satisfying the desire for a return to a more normal commercial regime through the stabilisation now effected of the currency of a great number of countries whose exchange had been dislocated by the war and its consequences.

The Conference, convinced that exchange stabilisation constitutes one of the foremost conditions for the restoration of international trade, is most anxious to see further progress in this direction.

Such are the fundamental ideas which we must endeavour to instil in the minds of

the people of all countries, so that, when properly informed of the nature of the task to be undertaken and fully reassured that important national interests will be respected, they may support their Governments in their worthy and arduous task of endeavouring forthwith to give effect to the resolution of the Conference.

## I. LIBERTY OF TRADING.

In harmony with what has been said above, the Conference, having been invited to consider the different problems grouped under the general heading of liberty of trading, has condemned the system of import and export prohibitions and the privileges sometimes granted to State enterprises, and has also recommended a more liberal policy in respect of foreign nationals and companies in the exercise of their commercial activities.

The proposals resulting from its deliberations are as follows :

### 1. Import and Export Prohibitions and Restrictions.

The Conference is convinced that a return to the effective liberty of international trading is one of the primary conditions of world prosperity.

The experience of the years since the war proves that import and export prohibitions, and the arbitrary practices and disguised discriminations which result therefrom, together with the obstacles of all kinds placed on the circulation of goods and capital, have had deplorable results by hampering the normal play of competition, by imperilling both the essential supplies of some nations and the not less indispensable markets of others, and by bringing about an artificial organisation of production, distribution and consumption.

Experience has shown, moreover, that the grave drawbacks of these measures have not been counterbalanced by the financial advantages or social benefits which were anticipated.

It is therefore important for the recovery and future development of world trade that the Governments should forthwith abandon an economic policy which is injurious to the interests both of their own and other nations.

A considerable step will have been taken in this direction if, as a result of the Diplomatic Conference convened for November 14th, 1927, the Governments adopt a convention based upon the draft prepared by the Economic Committee of the League of Nations on the subject of import and export prohibitions and restrictions, taking into account also the principles enumerated in the commentary accompanying the said draft and the proposals of the International Chamber of Commerce on this subject.

The aim in view would not, however, be achieved if the acceptance of this convention were merely formal, and if its provisions were rendered inoperative by export duties <sup>(1)</sup>, the fixing of quotas, the imposition of unjustified health regulations or by any other means.

Accordingly, the Conference recommends :

(1) That the draft International Convention for the Abolition of Import and Export Prohibitions and Restrictions, as prepared by the Economic Committee of the League of Nations and submitted to the States Members of the League and to the principal non-Member States, constitutes, with its accompanying commentary, a very satisfactory basis for the Diplomatic Conference convened for November 14th, 1927, and should be utilised to lead to a prompt general agreement permitting the greatest possible number of nations by their concerted and simultaneous action to bring about favourable conditions for the recovery and development of the production and trade of all countries;

(2) That, moreover, the application of the principles laid down in this draft should not be indirectly defeated by such means as export duties <sup>(2)</sup>, the fixing of quotas, health regulations or any other measures not justified by exceptional or imperative circumstances;

(3) And, further, that the application of these principles should not be indirectly defeated by restrictions on the free circulation of capital—including, for example, any system for controlling exchange which impedes the purchase or exportation of foreign exchange for the purpose of paying for goods imported.

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(1) See also : III-3 : Export Duties.

(2) See also : III-3 : Export Duties.

## **2. Commercial Equality of State Enterprises and Private Enterprises.**

The Conference has considered the fact that certain Governments, when participating in the control or management of commercial, industrial, banking, maritime transport or other enterprises, have claimed in virtue of their own sovereignty various privileges, immunities, or other advantages for the benefit of these enterprises and have also at times secured the grant of similar advantages from other countries by virtue of international comity.

Noting that these advantages give the enterprises benefiting from them an unduly privileged position as compared with similar private enterprises, the Conference declares that they constitute an infringement of free competition by making a discrimination between enterprises carried on side by side.

Accordingly, the Conference recommends :

That, when a Government carries on or controls any commercial, industrial, banking, maritime transport or other enterprise, it shall not, in its character as such and in so far as it participates in enterprises of this kind, be treated as entitled to any sovereign rights, privileges or immunities from taxation or from other liabilities to which similar privately owned undertakings are subject, it being clearly understood that this recommendation only applies to ordinary commercial enterprises in time of peace.

## **3. Legal Provisions or Regulations relating to International Trade.**

The Conference recognises that it is important that the work of the Economic Committee of the League of Nations and the International Chamber of Commerce in connection with the simplification of Customs formalities <sup>(1)</sup>, the assimilation of laws on bills of exchange, the international development of commercial arbitration and the suppression of unfair commercial practices should be continued with a view to obtaining rapid and general solutions.

Accordingly, the Conference recommends :

That, with a view to obtaining rapid and general solutions, the Economic Committee of the League of Nations should pursue the investigations undertaken with a view to the simplification of Customs formalities, the assimilation of laws on bills of exchange, the international development of commercial arbitration and the suppression of unfair commercial practices, and that all the necessary measures should be taken by the League of Nations and by Governments to increase the number of accessions to Conventions already concluded or which may hereafter be concluded on these matters.

In connection with the preceding recommendation the Conference is of opinion that the beneficial results of the Protocol of September 24th, 1923, in regard to international recognition of arbitration clauses in private commercial contracts, will not be fully realised until provision is made for ensuring the execution of such arbitral awards.

The Conference accordingly recommends :

That the Council of the League of Nations take steps to submit to States, for signature at an early date, a Protocol providing for the execution of arbitral awards in commercial questions.

## **4. Economic and Fiscal Treatment of Nationals and Companies of One Country admitted to settle in the Territory of Another.**

The Conference considers that the granting of the legal, administrative, fiscal and judicial guarantees necessary to the nationals, firms or companies of a State admitted to exercise their trade industry or other occupation in the territory of another State or to settle there is one of the essential conditions of economic co-operation between nations.

Taking note of the important work already devoted to this subject by the Economic Committee of the League of Nations and by the International Chamber of Commerce, the Conference considers it desirable that their conclusions should be considered and co-ordinated by the appropriate organs of the League of Nations with the view to their submission to a diplomatic conference for the purpose of determining the best methods of defining the status of foreigners, of abolishing unjust distinctions between them and national, and of preventing double taxation. The purpose of this conference would be to draw up an international convention.

(1) See also II-5 : Customs formalities.

But, before the latter could settle the question as a whole, bilateral agreements providing for equitable reciprocity and based on the guiding principles referred to above might effect a valuable improvement in the present situation.

Accordingly, the Conference recommends :

(1) That, pending the conclusion of an international convention, bilateral agreements should be arrived at, on the basis of the work already accomplished by the Economic Committee of the League of Nations and by the International Chamber of Commerce, defining the status of foreigners, not only from the economic but from the legal and fiscal points of views;

(2) That, in the same spirit and with the same end in view, the Council of the League of Nations should prepare for the meeting of a diplomatic conference for the purpose of drawing up an international convention;

(3) That, in drawing up these agreements and the texts to be submitted to the Conference the following points among others should be borne in mind :

(a) Equality of treatment with regard to conditions of residence, establishment, removal and circulation, between foreigners admitted to a State and the nationals of that State;

(b) Conditions of carrying on trade, industry and all other activities by foreign persons and enterprises;

(c) Legal status of the same persons and enterprises;

(d) Fiscal status of the same persons and enterprises.

## II. CUSTOMS TARIFFS.

The question of Customs tariffs has two different aspects according as it is regarded from the point of view of form or from that of substance, *i.e.* of the actual amount of the import duties. The latter aspect, which is directly allied to the question of commercial treaties, will be dealt with later in connection with the general problem of commercial policy.

As regards the first class of questions, the Conference unanimously recognised the desirability of simplifying Customs tariffs as far as possible, particularly by avoiding unwarranted subdivisions; it has proposed the establishment of a systematic Customs nomenclature, the use of which would in due course be assured by individual measures taken by the Governments and regularised by the conclusion of bilateral or multilateral international conventions; it emphasised the urgent necessity of stabilising Customs tariffs, by the conclusion of long-term commercial treaties or otherwise; it recapitulated rules for securing the maximum of equity in the application of duties and defined the principles on which Customs formalities should be based; and finally it passed a recommendation in favour of the execution, to the fullest possible extent, of the Convention of December 31st, 1913, establishing an International Bureau of Trade Statistics.

### 1. Simplification of Customs Tariffs.

The Conference considers that the enormous increase in the number of tariff headings and the excessive number of sub-headings in the various items — a practice which has grown up since the war — constitute in many cases a considerable obstacle to the development of international commerce, that States should refrain from this practice as far as possible, and that consideration should be given to the difficulties it causes as regards the nomenclature the establishment of which the Conference recommends.

The Conference considers that it is above all necessary to avoid tariff sub-headings which do not refer to articles of a different nature and which are merely intended to discriminate between articles of different origin.

### 2. Unification of Tariff Nomenclature.

The Conference considers that a fixed nomenclature for goods subject to Customs duties is an essential condition of equity in their application and ease in their collection, that it may also contribute to the exchange of goods not subject to duty, and that it constitutes a favourable basis for the improvement of trade statistics.

It is of the greatest importance for international trade that the Customs nomenclature of all countries should correspond as closely as possible with the actual types of goods manufactured and their current trade names, supplemented, if necessary, by their scientific designation.

Any Customs classification should be as objective as possible, lest it should become a mean of discriminating to the prejudice of any country or of specialising tariffs to the advantage of any country.

A single systematic nomenclature, based either on the successive stages of manufacture or on the different types of goods, is perfectly well adaptable to different economic or fiscal theories, and it is not the nomenclature but the rate of duty attached to each such stage or type which is the mean of establishing the degree of protection which, in accordance with its own tariff system, a country desires to give to a certain product, in accordance with its conception of national economy.

In these circumstances, the adoption of a common nomenclature, as has already been shown by its application to products of special complexity, would help to remove a subject for dispute which might become an obstacle to international trade.

The common adoption of an agreed nomenclature would promote the conclusion of commercial treaties and would prevent their application from becoming the subject of perpetual disputes.

The Conference therefore recommends :

(1) That the Council of the League of Nations should take the initiative in drawing up an appropriate procedure for establishing, in liaison with the producing and commercial organisation concerned, a systematic Customs nomenclature in accordance with a general plan covering all classes of goods;

(2) That a selection be made and an order of priority fixed among the various groups of commodities so that the common nomenclature may be gradually worked out, beginning with those classes of goods for which it can most readily be introduced;

(3) That the common nomenclature thus obtained should be submitted to the various Governments at each stage of preparation, and should then be transmitted to the producing and commercial circles concerned, and that such communication should be accompanied by an explanation of the principles underlying Customs classification and the arrangement of items;

(4) That, if the adoption of a common nomenclature for various important branches of production seems, after the enquiry and consultation referred to in the preceding paragraphs, to be realisable before a complete nomenclature has been established, the adoption of such nomenclature should be suggested to the Governments by means of a diplomatic conference or by other means;

(5) That, either by means of bilateral agreements or by a plurilateral convention or by any other procedure, Governments should undertake to apply this common nomenclature and bring their methods of passing goods through the Customs and of levying duties into line with it;

(6) That the Governments which have adopted the common nomenclature should undertake not to impair its value by applying arbitrary or discriminatory specifications to the detriment of third States;

(7) That, notwithstanding the above provisions, States should not be bound in practice to introduce in to their Customs tariffs all the subdivisions of the common nomenclature, it being understood that they will conform, in the headings they use, to the rules of classification and description which will have been settled in common;

(8) That, in order to ensure the execution of engagements entered into by States with regard to nomenclature, the League of Nations should propose such measures of publicity, information, friendly settlement or arbitration as the nature of the engagements make it possible to adopt.

### 3. Stability of Customs Tariffs.

One of the most formidable obstacles in the way of establishing and developing permanent and secure trade relations between countries is the instability of tariffs.

The main causes of this instability are to be sought, on the one hand, in the fluctuations of exchanges when Customs duties are payable in paper currency, and, on the other hand, in the fact that Customs autonomy makes it possible for States to modify their Customs duties even as regards States with which they have concluded commercial conventions.

The Conference recommends :

(1) That States should refrain from making frequent or sudden changes in their Customs duties on account of the instability which such changes cause in trade relations and the serious difficulties or disputes which they occasion in connection with the execution of contracts already concluded;

(2) That in cases in which currency stability has not yet fully secured, Customs duties should be levied on a gold basis or their incidence should be periodically adjusted on the basis of an index of prices, the adjustment to be made only at dates fixed in advance and only when alterations of incidence represent an appreciable percentage of the duties;

(3) That, in commercial treaties, as wide a use as possible should be made of the guarantees of stability afforded by the consolidation of duties, or in cases in which currency stability is insufficient to allow of the consolidation of the duties themselves, by any other means for adjusting the incidence of duties;

(4) That States should conclude their commercial treaties for as long a period as possible and should follow, in this regard, the policy practised by a large number of countries before the war.

#### 4. Application of Tariffs.

The International Economic Conference does not desire express an opinion as to the respective advantages and drawbacks of *ad valorem* and specific duties; it is nevertheless desirable that endeavours should be made to secure their equitable application in all cases.

In the case of *ad valorem* tariffs, disputes often arise concerning the true value or current level of prices in the country of origin or the valuation of similar products in the importing country.

On the other hand, in the application of specific duties, the main difficulties are caused by uncertainty as to the tariff item applicable to a given article.

The Conference therefore recommends :

(1) That any systems of enquiries or investigations in connection with the application of *ad valorem* duties or modification of tariffs shall be framed and administered with full regard for the business interests involved and for the maintenance of commercial good will among nations. Enquiries or inspections involving inquisitorial procedure or arbitrary methods shall be eliminated;

(2) That, for the application of Customs duties, States should make provision, in case of dispute, for equitable procedure by appeal to administrative or ordinary courts in which the importer can be heard or defend his interests by producing evidence or demanding such expert examination as may be necessary;

(3) That States should, by definite stipulations in their Customs legislation and possibly in their commercial treaties, endeavour to limit the difficulty of applying duties so that trade may acquire that security without which it can neither develop nor even be maintained.

#### 5. Customs Formalities.

In accordance with analogous provisions contained in the Convention on Simplification of Customs Formalities, the Conference considers it desirable to put forward the following recommendations :

(1) Consular fees should be a charge, fixed in amount and not exceeding the cost of issue, rather than additional source of revenue. Arbitrary or variable consular fees cause not only an increase of charges, which is at times unexpected, but also an unwarrantable uncertainty in trade.

Failing any general agreements, it would be desirable that States should, in this matter, embody mutual guarantees in their commercial treaties.

(2) The Conference, calling attention to the recommendations contained in the Annex to Article 14 of the Convention for the Simplification of Customs Formalities, recommends that an express guarantee should be added providing for a right of appeal, which could be exercised, either by the importer or by the exporter, against Customs penalties, and more especially against such penalties as might be imposed in cases of manifest clerical errors.

(3) The Conference, appreciating the full value of the progress already made in the matter of Customs regulations under the influence of the „Convention relative to the Simplification of Customs Formalities" concluded at Geneva on November 3rd, 1923, which is now in force in twenty-five countries,

**Recommends :**

(a) That the said Convention should be ratified as soon as possible by those countries which have not yet ratified it or which have not yet made arrangements to bring their regulations into line with the principles of liberty recommended therein;

(b) That its provisions should be applied by the contracting States as generously as possible.

(4) The following recommendation might be embodied in the Final Act of the Conference :

("The Conference, informed that the Economic Committee has before it a proposal designed to repress the practice of false Customs declarations and invoices, and without desiring to anticipate the results of its investigations, desires to make it clear that it is opposed to any dishonest practices in international trade (1).")

### **6. Trade Statistics.**

The Conference appreciates the desirability of making statistics comparable by adopting a common nomenclature, and observes the progress made in this direction under the influence of the Convention dated December 31st, 1913, which set up in Brussels an International Bureau for Trade Statistics.

It considers that international co-operation on the basis of the provisions of the said Convention will constitute an excellent preparation for the realisation of the international agreement recommended by the Conference for the adoption of a common Customs nomenclature, which, moreover, should have, when adopted, a beneficial effect on the unification of trade statistics.

The Conference therefore recommends :

(1) That the States which have signed the Convention dated December 31st, 1913, and have not yet ratified it should do so as soon as possible, and that the Governments which have not signed it should accede to it;

(2) That the Contracting Parties should furnish the Bureau in Brussels as soon as possible with the data required for the compilation of the comparative statistics with the publication of which it has been entrusted under the said Convention.

## **III. COMMERCIAL POLICY AND TREATIES.**

The main conclusion to be drawn from the work of the Conference in the field of commercial policy is that the time has come to put a stop to the growth of Customs tariffs, and to reverse the direction of the movement by an effort made along three lines, viz. :

(1) Individual action by States with regard to their own tariffs;

(2) Bilateral action through the conclusion of suitable commercial treaties;

(3) Collective action, by means of an enquiry, with a view to encouraging the expansion of international trade on an equitable basis by removing or lowering the barriers to international trade which are set up by excessive Customs tariffs.

With the question of import duties is bound up the question of the fiscal burdens which are sometimes imposed in addition, and which, in the Conference's opinion, should not aim at providing disguised protection for national production.

In a similar connection, the Conference is anxious that the free circulation of raw materials and articles of consumption should not be unduly hindered by export duties, and that, such duties, whether levied to meet fiscal needs or exceptional or compelling circumstances, should not discriminate between different foreign countries.

Lastly, commercial treaties should contain the unconditional most-favoured-nation clause in its broadest and most liberal form, and the League of Nations is recommended to consider the possibility of establishing clear and uniform principles in regard to that clause and introducing common rules relating to commercial treaties.

### **1. Tariff Levels.**

*Present Tariff Situation.* The evidence before the Conference, which is contained in the documentation or in the statements made by the members of the Conference, shows that the recovery from the effects of the war has been unduly delayed and that the foreign

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(1) No Final Act was drawn up by the Conference.

commerce of all nations is in greater or less degree seriously hampered by existing obstacles to trade.

The Conference notes with satisfaction that some of the most injurious forms of obstruction that prevailed immediately after the war have been removed. To this fact must be attributed in part the recovery of world trade which has so far been achieved.

Tariffs, on the other hand, which in recent years have shown a tendency to rise, are for the most part higher than before the war, and are at present one of the chief barriers to trade. The increase in most countries is almost wholly due to higher duties on manufactured articles.

In Europe, the problem has been complicated by political readjustments which have changed many frontiers and increased the number of separate Customs units from 20 to 27, all of which strive for an independent national economy which they defend by means of tariff barriers.

The harmful effect of these tariffs upon trade has in many cases been increased through their constant changes, which have created an element of uncertainty and made it impossible to place long contracts. The nations have failed to deal with this situation by long-term treaties.

#### *Causes.*

This state of affairs is largely due to a desire to meet the abnormal conditions arising out of the war. For example, many duties have been raised as a protection against an influx of goods from countries with a depreciating currency. Experience has proved that even the most rapid manipulation of tariffs is not an effective method of dealing with the still more rapid changes which are caused by monetary instability. Such attempts are a source of new difficulties for commerce and are themselves a source of uncertainty. Again in the countries themselves whose currency has been depreciating, tariffs have been raised in order to check imports in the hope of stopping the depreciation. Finally, it has sometimes happened that, where depreciation has been followed by appreciation, Customs duties payable in paper money which had been raised during the inflation have not been correspondingly reduced when revalorisation occurred. These unstable currency conditions have to a considerable extent passed away; but the tariff and other measures which have been specially employed to deal with them have not yet wholly disappeared.

A second reason for the present tariff situation both in Europe and elsewhere is the desire of nations by means of tariffs to keep existing or recently established industries in being by means of tariffs on a scale which they would not otherwise be able to maintain. These industries have grown to their present extent, in some cases as a result of abnormal expansion during the war, in others as a result of the desire of certain nations to attain a degree of economic independence which is not justified by their slender resources, and again in others with a view to providing employment for surplus labour for which certain former outlets are at present closed.

This increase in productive capacity has often outrun the capacity of the country to absorb the products either as regards its material needs or its purchasing power. The result has been either that the plant left idle has overweighed the costs of production, particularly when borrowed capital is involved, or that, in order to utilise the whole plant and to give some return to the capital employed, it has been necessary to turn to the foreign market and so to intensify international competition.

The desire to deal with the problem of excessive industrial capacity has usually led to an attempt to reserve the home market for home production by means of tariff barriers erected with a view to creating an independent national economy capable of producing, under the protection of the tariff wall, an increase of invested wealth and a more satisfactory return for the work of the nation. This effort to attain self-sufficiency cannot hope to succeed unless it is justified by the size, natural resources, economic advantages and geographical situation of a country. There are very few countries in the world which can hope to attain it. The artificial increase of plant which is only partly employed has meant not only uneconomical and costly production but also a wasteful use of the world's reduced capital resources. It has thus been one of the causes which has maintained an abnormally high rate of interest in recent years. It should be added that, so long as unduly high tariffs are maintained, this uneconomic use of capital continues and creates an increasing number of vested interests which resist a return to a sounder policy.

High tariffs of whatever system have, in many cases, also been imposed, in the first instance at all events, for bargaining purposes. But subsequent negotiations have in practice not resulted in adequate modifications, with the consequence that the Customs barriers have been left higher than before.

This evil has become accentuated in recent years by the post-war practice of enforcing the exaggerated rates of *tarifs de combat*, whether under the autonomous or any other system, even in advance of negotiations, with the result that vested interests have frequently grown up in the meantime which have made impossible the contemplated reductions.



In addition to arguments connected with tariff negotiations, budgetary considerations are frequently brought forward to justify very high tariffs. But a country's budgetary equilibrium rests on a very precarious foundation if it is founded on high rates of duty the effect of which is to diminish imports and consequently the Customs revenue resulting from them. Moreover, the smuggling encouraged by excessive duties has a demoralising effect.

A reason which has frequently been invoked in many cases to justify exaggerated post-war tariffs is the need of protecting industries required for national defence. But it cannot be denied that this argument, whatever its merits may be in principle, has often been abused to cover exclusively economic objectives.

Finally, the problem of population has induced certain countries which have a surplus of labour to base their Customs protection on this argument.

*Discussion of Commercial Policy.* — In enumerating the causes and ideas which are responsible for the super-protectionism of post-war years, the International Economic Conference does not attempt to pass judgment on the fundamental principles of protection and free trade respectively.

In contrast to ideas which have led nations into a situation which is equally harmful to their own economic life and to their international economic relations, it remains to set out the considerations which demand a return to a general policy of freer international commerce.

It is too often overlooked that the attempt to stimulate artificially industries which would not otherwise flourish in a country may check the development of those activities for which it is most naturally suited. Nations may determine, for political or other reasons, that it is essential to their safety to develop increased self-sufficiency, but it is appropriate for the Conference to point out that this has in most cases involved a sacrifice of material prosperity. In such cases, the loss is borne by consumers, who have to pay more for the products of the protected industry, and by those engaged in the industries that would otherwise have a larger possibility of export.

In analysing European commercial practices, it may be observed that the advocates of exaggerated protection have often made the mistake of imagining that it is always more advantageous to hinder imports than to increase exports; it may be observed that, if exports increase, production and national income are increased in a similar proportion; if, on the other hand, imports fall on account of tariff duties, the rise in the level of commodity prices reduces not only the possibility of export but also the consuming capacity of the country. A part only of the imports excluded by the Customs duties is replaced by home production. Excessive protection, which reduces national production and purchasing power, in the end defeats its own object. In some cases excessive import duties, by permitting very high profits to be realised at home, give an uneconomic stimulus to exports, thus creating artificial competition on foreign markets. This practice is one of the most dangerous causes of market disorganisation and of economic conflicts between nations.

Such are some of the principal illusions and most dangerous practices which have impoverished certain nations or hindered their economic reconstruction.

The Conference recognise that the removal or substantial reduction of Customs barriers cannot be brought about suddenly without causing dislocation but it is of opinion that Governments should immediately prepare plans for removing or diminishing by successive stages those barriers that gravely hamper trade, starting with those duties which have been imposed to counteract the effect of disturbances that are now past.

The Conference believes that, if the true results of the present system now prevalent in Europe were understood by public opinion, it would be possible for Governments to commence this process forthwith.

It is, however, clear that the process will be hastened if it can be carried out as a result of concerted action among States.

This is why the Conference is of opinion that it should make provision in its resolutions not merely for the encouragement of bilateral agreements as nearly as possible in keeping with its doctrines, but also for the methodical examination, by the Economic Organisation of the League of Nations, of common measures which might be adopted, in the matter of tariffs, by States Members of the League and by States non-members, and also of the mutual agreements at which these States might arrive.

Although the considerations outlined above with regard to tariff levels are based on a study of the question more particularly from the point of view of industry and commerce, they may be regarded as applying also, to an extent varying according to the country and purpose in view, to agriculture.

*Conclusion.* — In view of the fact that harmful effects upon production and trade result from the high and constantly changing tariffs which are applied in many countries;

And since substantial improvement in the economic conditions can be obtained by increased facilities for international trade and commerce;

And in view of the fact that tariffs, though within the sovereign jurisdiction of the separate States, are not a matter of purely domestic interest but greatly influence the trade of the world;

And in view of the fact that some of the causes which have resulted in the increase of tariffs and in other trade barriers since the war have largely disappeared and others are diminishing;

The Conference declares that the time has come to put an end to the increase in tariffs and to move in the opposite direction.

The Conference recommends :

(1) That nations should take steps forthwith to remove or diminish those tariff barriers that gravely hamper trade, starting with those which have been imposed to counteract the effects of disturbances arising out of the war.

Moreover, in order to ensure that this action is continuously pursued, the Conference recommends :

(2) That States should proceed to the conclusion of commercial treaties on lines and under conditions calculated to ensure the attainment of the aims mentioned herein;

(3) That, in future, the practice of putting into force, in advance of negotiations, excessive duties established for the purpose of bargaining, whether by means of *tarifs de combat* or by means of general tariffs, should be abandoned;

(4) That the Council of the League of Nations should be requested to instruct its Economic Organisation to examine, on the basis of the principles enunciated by the present Conference, the possibility of further action by the respective States with a view to promoting the equitable treatment of commerce by eliminating or reducing the obstructions which excessive Customs tariffs offer to international trade.

In this enquiry, the Economic Organisation should consult with representatives of the various Governments, including non-members of the League, and also so far as necessary with the competent bodies representing Commerce, Industry, Agriculture and Labour.

The object of the enquiry should be to encourage the extension of international trade on an equitable basis, while at the same time paying due regard to the just interests of producers and workers in obtaining a fair remuneration and of consumers in increasing their purchasing power.

## 2. Fiscal Charges imposed on Imported Goods.

The Conference noted that the practice has unfortunately become prevalent of imposing on imported goods internal taxes of consumption, excise, *octroi*, circulation, manipulation, etc., which do not apply at all or do not apply in the same degree to similar home products.

The Conference considers that States are not justified in placing such obstacles in the way of international trade by taxing foreign products more heavily than identical or similar home products.

When goods have been legally imported duty free or when they have discharged the Customs duties and accessory Customs charges, they must be regarded as duly nationalised and should be entitled after their importation to claim equal treatment with home products.

The Conference has thought it desirable to make the following recommendations as regards the above-mentioned practices :

(1) That all internal taxes of consumption, excise, *octroi*, circulation, manipulation, etc., which are applied to the products of any foreign country should be applied in the same manner and in the same degree to the products of all foreign countries and to identical and similar home products;

(2) That the States should not impose consumption or other internal taxes for the purpose of giving a disguised protection to national products.

## 3. Export Duties (1).

The Conference is of opinion that the free circulation of raw material is one of the essential conditions for the healthy industrial and commercial development of the world.

(1) See also I — 1 : Import and Export Prohibitions and Restrictions.

It is therefore of opinion that any export tax on raw materials or on the articles consumed by producers which has the effect of increasing the cost of production or the cost of living in foreign countries tends thereby to aggravate the natural inequalities arising from the geographical distribution of world wealth.

The Conference therefore considers that export duties should only be resorted to to meet the essential needs of revenue or some exceptional economic situation or to safeguard the vital interests of the country and that they should not discriminate between different foreign destinations.

The Conference therefore recommends :

(1) That the exportation of raw materials should not be unduly burdened by export duties or any other taxes and that, even in cases where such duties or taxes are justified by fiscal needs or by exceptional or compelling circumstances, they should be as low as possible

(2) That, in any case, export duties on raw materials should never be imposed for the special purpose of subjecting foreign countries using such materials to an increased burden which will place them in a position of unfair inferiority as regards the production of the finished article;

(3) That export duties on raw materials, whether levied for revenue purposes or to meet exceptional or compelling circumstances, should never discriminate between different foreign destinations;

(4) That the above principles apply equally to export duties on articles of consumption.

#### 4. Commercial Treaties.

The tariff questions important as they are, only cover a part of the field of the commercial relations among nations. In order to give to international commerce the necessary guarantees of free development on an equitable basis, it is also necessary that States should enter into commercial treaties for long periods guaranteeing fair and equal treatment as regards Customs duties and conditions of trading. In this respect, the great war has had a deplorable effect by destroying the system of commercial treaties by which easy and fruitful international relations were previously ensured.

The post-war system was based in the first instance on the peace treaties or on bilateral treaties concluded for very short periods.

Moreover, the collapse of certain currencies, the differences in conditions of production, and the disorganisation of prices, led various countries to abandon the principle of the most-favoured-nation clause, or to impose too many restrictions or conditions upon its application, or to limit its effects to categories of goods or to quotas.

Now, with the increasing stability of currencies and the accelerated movement towards normal economic conditions, all nations feel a growing desire for stability and greater repugnance for any kind of discrimination.

A decisive step on the road to world reconstruction would undoubtedly be taken if the system of long-term treaties securing equality of treatment were restored.

For this purpose, it is highly desirable that the widest and most unconditional interpretation should be given to the most-favoured-nation clause. This is not inconsistent with the insertion in any particular treaty of special provisions to meet local needs, so long as such provisions are clearly expressed and do not injure the interests of other States.

On the other hand, it is undeniable that the conclusion of such commercial treaties is made difficult by the variety of conceptions of the bases of such treaties. Some countries, moreover, have considered that tariffs and contractual methods are interdependent, so that unduly high tariffs have often reacted on methods of treaty-making, and the latter in turn have often caused tariffs to be raised even higher.

The Conference regards these facts as necessitating immediate action by Governments with a view to concluding treaties as comprehensive and permanent as possible, and in order to improve and standardise the methods of treaty-making themselves.

(1) The Conference therefore considers that the mutual grant of unconditional most-favoured-nation treatment as regards Customs duties and conditions of trading is an essential condition of the free and healthy development of commerce between States, and that it is highly desirable in the interest of stability and security for trade that this treatment should be guaranteed for a sufficient period by means of commercial treaties.

(2) While recognising that each State must judge in what cases and to what extent this fundamental guarantee should be embodied in any particular treaty, the Conference strongly recommends that the scope and form of the most-favoured-nation clause should be of the widest and most liberal character and that it should not be weakened or narrowed either by express provisions or by interpretation.

(3) The Conference recommends that the Council of the League of Nations should entrust the Economic Organisation to undertake, in connection with the enquiry provided for in the preceding recommendations, all the necessary discussions, consultations and enquiries to enable it to propose the measures best calculated to secure either identical tariff systems in the various European countries or at least a common basis for commercial treaties, as well as the establishment, for all countries, of clearly defined and uniform principles as to the interpretation and scope of the most-favoured-nation clause in regard to Customs duties and other charges.

(4) The Conference, however, considers that the fact that certain discussions, consultations and enquiries may be taking place as contemplated in these recommendations, should not in any way be permitted to retard commercial negotiations now pending or to dissuade States entering upon such negotiations.

The Conference has further considered the question of the best means of ensuring that full effect be given to the stipulations of commercial treaties. While recognising that, in the main, confidence must be reposed on the good faith of the contracting parties to fulfil their engagements, it is also clear that the possibility of recourse to a suitable arbitral or judicial procedure may often furnish the means of avoiding or settling difficulties whether of interpretation or of application.

The Conference therefore recommends :

(5) That the various States should consider the desirability of providing in their commercial treaties for the reference of disputed questions as to the interpretation or carrying out of the treaties to arbitration or preferably to the Permanent Court of International Justice.

In this connection, the Conference notes that present Statute of the Court authorises it to appoint experts or expert bodies to make enquiries or to give an expert opinion on any matter. It has been further suggested that, if at any time the amendment of the Statute of the Court is contemplated, the opportunity might be taken of enabling the Court to establish a special section or special procedure for dealing with commercial questions. The Conference does not feel that it is within competence to pronounce on the merits of this suggestion, but it desires to pass it on to the Council of the League of Nations for consideration.

#### IV. INDIRECT MEANS OF PROTECTING NATIONAL TRADE AND NATIONAL NAVIGATION

Although having less immediate influence on the development of trade than the question of import and export prohibitions or that of Customs tariffs, the problems appearing under the above head are of considerable importance and their solution in the direction desired by the Conference would be of such a nature as to aid considerably the efforts made in other fields.

In the course of this part of its work, the Conference was bound to encounter the question of direct and indirect subsidies to trade, the question of dumping and the question of antidumping legislation. In this regard, however, it was confronted by such a variety of opinions, supported by so many different arguments that the Conference has had to be satisfied with enlightening public opinion as to the true nature and inevitable consequences of such practices and measures.

##### 1. Subsidies, Direct or Indirect.

During the years which followed the war, a marked extension of tariff barriers took place in various countries, accompanied by an increasing tendency to introduce State subsidies. This was done more particularly in an indirect way, by granting credits or guarantees which aimed at assisting the home industries and their export trade for a more or less protracted period, in view of the abnormal economic conditions prevailing throughout the world.

The fact that subsidies are in certain circumstances held to interfere less with the liberty of trading than Customs tariffs does not make it any the less necessary to lay stress on the hidden dangers inherent in this means of encouraging production and exportation. The greater the number of countries which have recourse to this practice, the more difficult will it be for other countries to refrain from following their example. Thus the attempt to restore foreign trade to normal conditions meets with a real obstacle in the shape of subsidies.

The Conference draws the attention of the various Governments to the true nature of direct or indirect subsidies, which are merely a palliative, and expresses the hope that Governments will, so far as possible, refrain from having recourse to them.

## 2. Dumping and Anti-Dumping Legislation.

The Conference recognises that the question of dumping is of particular importance to those countries which have adopted a liberal tariff policy, and lays stress on the fact that, although the consumer may secure, as a result of dumping, certain transitory advantages as regards price, there can be no doubt that dumping creates a state of insecurity in production and commerce, and can therefore exercise a harmful influence quite out of proportion of the temporary advantage resulting from cheap imports.

The same applies to dumping employed by powerful firms or commercial combines in one or more countries to destroy the similar industries of another country, and thus to enable them afterwards to raise the price on the market of that country.

It is certain that dumping is facilitated by the existence of high import duties in the countries practising it, and that it may lead to the introduction of high defensive duties in the importing country.

The Conference considers that dumping must be reduced to a minimum, and that in order to attain this object, every possible measure should be taken to establish universally stable conditions of production and commerce and to reduce the excessive Customs tariffs of exporting countries.

The Conference recommends, however, that importing countries which find themselves compelled to take defensive measures against dumping should not resort to excessive, indirect or vexatious measures which would have a more far-reaching effect than is intended.

## 3. Discrimination arising from Conditions of Transport.

The Economic Conference, having on its agenda the investigation of the indirect methods of protecting national commerce and national navigation and particularly the question of the discrimination established by the system of transports <sup>(1)</sup>, has not, as regards the latter point, to deal with general questions of transport as such but only to consider them in so far as they affect international economic life.

From this point of view, transport agents, whether they are concerned with transport by rail, maritime transport, transport by internal navigation, road transport or aerial transport, are merely the servants of trade. They do not create traffic and they are subject to the influence of the general economic situation rather than exercising an influence upon it. The prosperity of agriculture, industry and commerce alone is able, by providing traffic, to permit them to attain the full return on their undertakings and puts them in a position to give, in return, the maximum of service. Similarly, the greater part of the hindrances from which transport is suffering do not originate in the transport system itself; on the contrary, transport is subject to the influence of formalities, delays or precautions of various sorts inspired by administrative, Police, financial or political-economic considerations, the extent and effects of which transport agents can only submit to without influencing them. The smaller the importance the authorities concerned consider it possible to attach to these considerations the more will transport itself benefit. All that can be asked of transport agents is that their services, on all transport routes, shall be adequate for the needs of trade, shall be provided without prejudicial discrimination between different nationalities, and that their regime shall, as far as possible, not be such as to place any obstacle in the way of international trade, but shall, on the contrary promote the free flow of traffic.

The Economic Conference has taken note of the efforts already made by various States, notably in the Organisation for Communications and Transit of the League of Nations, to remove so far as possible conditions and discriminations liable to disturb the normal operation of transports.

Such is the principal aim of the General Conventions on the Freedom of Transit and on the Regime of International Navigable Waterways concluded at the Barcelona Conference

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(1) The details of a great number of problems have been submitted for consideration in the documents laid before the Conference, particularly in the memorandum of the International Chamber of Commerce on Trade Barriers. The Conference considers that this memorandum in particular should be brought to the knowledge of the competent technical organisations of the League of Nations, and it is confident that those organisations will study the conclusions given in it the most lively desire to give them the effect desired by international commerce.

in 1921 and of the General Conventions on the Internationale Regime of Railways and on the International Regime of Maritime Ports concluded at the Geneva Conference of 1923. It is inevitable that the texts of these Conventions should be open to criticism from various quarters and should not be able to satisfy simultaneously the most conflicting national contentions on all points. Such as they are, however, they represent a considerable step forward; their full and loyal application on as universal a basis as possible would establish a stable system of liberty and equitable international treatment of transport within the limits which have been judged reasonably possible.

It would not seem opportune for the Conference to revert to the sometimes very delicate discussions — notably with regard to the coasting trade, railway rates, etc. — which took place at the meetings which resulted in the satisfactory conclusion of these Conventions but, although a fresh examination of the contents of these Conventions does not appear advisable, attention should be drawn to the fact that, particularly as regards the Conventions of 1923, which were signed by a very large number of States, the progress of ratification and accession has been singularly slow. It would be most regrettable from the point of view of international trade if even those Governments which signed these Conventions did not ratify them as soon as possible and if the greatest possible number of States did not accede thereto. In the majority of cases, the Governments themselves have made every effort to hasten these ratifications, but the application of the Conventions and the essential ratifications themselves can only be ensured if the public opinion concerned in the various countries shows a desire that this work should be carried through. The Economic Conference would perform a useful task if it addressed a fresh appeal in this connection to the Governments concerned and to the competent circles in the different countries.

The same appeal might well be made to accelerate the putting into force of the Convention on Customs Formalities, concluded at Geneva in 1923 (1). This Convention was not concluded for the purpose of facilitating transports, but the effects of it would nevertheless be particularly valuable for the free play of communications. Every simplification of Customs formalities, again, reduces the field in which discriminations prejudicial to trade and to transport itself can be exercised.

The application of such general conventions is no doubt insufficient in practice to eliminate in the sphere of transports all discriminations and all obstacles to international trade. In each branch of transports and with regard to a large number of special questions direct and continuous co-operation between the experts responsible in the different countries is necessary, and indeed has been established in a satisfactory manner. To quote only a few examples: the International Chamber of Commerce comprises persons belonging to the commercial circles concerned in transport questions; the International Union of Railways permanently keeps in touch with one another the railway administrations of Europe and some of those of Asia; while the Organisation for Communications and Transit of the League of Nations, through its Advisory and Technical Committee and its specialised Committees on transport by rail, inland navigation, ports and maritime navigation, and road traffic, establishes co-operation particularly between official Government circles. Close touch is maintained between these various bodies and also with the River Commissions of the international rivers of Europe and the great international organisations of undertakings concerned in maritime navigation and aerial navigation.

It is not possible to mention here all the work already done by these various organisations, or still in progress, which is of great importance for the removal of obstacles and measures of discrimination detrimental to international trade. It is worth drawing attention, however, to the efforts made with a view to promoting the circulation of rolling-stock and to standardising railway nomenclature in order to facilitate the negotiation and conclusion of agreements for the introduction of international railway tariffs; similarly, steps are being taken to ensure the maximum of co-operation between the various modes of transport and the development of combined tariffs. Attention should also be drawn to difficult and particularly important task which falls to the River Commissions in laying down measures for the purpose of facilitating the passage of the frontier on large international waterways and of simplifying formalities of all kinds detrimental to the free movement of navigation and to the full utilisation of river ports. Lastly, the next General Conference on Communications and Transit, which is to meet at Geneva in August 1927, and at which various Organisations mentioned above will be represented, will no doubt consider the best means of co-ordinating the numerous investigations in progress. In particular, on the initiative of the last Assembly of the League of Nations, and in conformity with a plan drawn up by the Advisory and Technical Committee for Communications and Transit, it proposes to begin to apply a plan for the systematic collection and distribution of general information on communications and transit of a nature to establish between the administrations concerned in European countries and those of non-European countries

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(1) See also II, 5 : Customs Formalities.

a collaboration which, generally speaking, is lacking at present. The data which will thus be collected, summarised and published and which relate in particular to international agreements of a public nature in regard to transports, the administrative and legislative treatment of transport in the various countries, important works in course of construction or completed, general statistics of traffic, and the main changes in freights and tariff systems, will be of great interest if they are widely circulated to the circles concerned with transport questions to those engaged in commerce. They will also make it possible for the League of Nations, when organising international co-operation in matters of transports, to deal more fully with practical details and to ascertain, with greater precision than the general texts of the Conventions allow for, the position with regard to the practical application of the principles embodied in these Conventions, the possibilities of extending this application, and the difficulties which may be encountered by international transport.

The Economic Conference cannot, of course, attempt to substitute itself for the various international organisations dealing with transport questions and examine afresh the problems which engaged their attention; it can but approve their efforts and urgently request all the authorities concerned to lend them their assistance in the general interests of international trade.

For these reasons,

(1) Whereas the General Conventions on the Freedom of Transit and on the Regime of Navigable Waterways of International Concern concluded at the Barcelona Conference in 1921 and the General Conventions on the International Regime of Railways and on the International Regime of Maritime Ports concluded at the Geneva Conference of 1923 have taken full account of the complexity of the question, and whereas their general application would ensure for transports a stable system of freedom and equitable international treatment without unfair discrimination, care being taken to leave to the tariffs sufficient flexibility to permit of their being adapted as closely as possible to the complex needs of trade;

Whereas the widest possible application of the General Convention on the Simplification of Customs Formalities concluded at Geneva in 1923 would certainly facilitate the free operation of transport;

The Conference recommends :

That the States which have not yet ratified the above-mentioned General Conventions of Barcelona and Geneva should proceed to do so as soon as possible and that as many States as possible should accede thereto;

(2) Whereas the best results are to be anticipated from the activities and co-operation of the great international organisations which permanently study transport questions, in particular :

The Organisation for Communications and Transit of the League of Nations through its Advisory and Technical Committee for Communications and Transit, which provides for liaison between the Governments;

The International Chamber of Commerce, which comprises representative persons belonging to the commercial circles concerned;

The International Union of Railways, which unites the railway administrations of Europe and part of Asia;

The River Commissions of the International Rivers of Europe and the various international organisations representing the circles concerned in maritime and aerial navigation;

The Conference recommends :

That the close co-operation already established will continue in future so as to take account of the various aspects of the problems raised by international traffic and so as to co-ordinate the solutions proposed, and that all the authorities concerned will support the efforts of these organisations;

(3) Whereas its attention has been drawn to certain forms of indirect discrimination between flags in maritime navigation which may be facilitated by the absence of uniform rule governing the construction and equipment of ships from the point of view of safety at sea;

Whereas it is desirable, in the interests both of the safety of life and property at sea and of international overseas trade, that uniform rules governing the construction and equipment of vessels in so far as they concern safety should be embodied in an international agreement and that all maritime countries should reciprocally accept such rules;

The Conference :

(a) Notes the fact that measures are now being taken to introduce uniform international rules on this point;

(b) Recommends that, pending the general adoption of these rules, maritime countries should endeavour to conclude agreements recognising the equivalence of measures of safety taken on board their ships.

## INDUSTRY

### I. THE INDUSTRIAL SITUATION

During the part of its discussions which especially concerned industry, as well as in the general debate on the economic situation, the Conference naturally devoted most of its attention especially to an analysis of the major causes which have adversely affected the basic world industries and of the remedies which could be suggested.

The difficulties with which the industries of principal international importance a faced in certain parts of the world are not mainly due to an inadequacy either of scientific invention or of raw materials. The chief difficulties now experienced result from the facts that in certain countries sufficient capital has not been available or that, with existing restrictions and under present conditions, the available markets are inadequate for the productive capacity in a number of the principal industries. This maladjustment results from many causes and takes various forms. There is a maldistribution of plant and equipment. In those countries which participated actively in the war, plant in many industries was increased for military purposes beyond the scale of what is required in peace; in other countries, new plant was installed to produce goods which could not be imported during the war; and the experience of war deprivations has developed a desire on the part of a number of nations to make themselves self-sufficing. Moreover, the general impoverishment of Europe immediately after the war lessened savings and handicapped industry by reducing at once the purchasing power of its clientele and the possibility of financial assistance from European money markets.

Other causes have tended to a new distribution of manufacturing equipment; certain discoveries, for instance, have brought about a change in the use of raw materials or in the utilisation of sources of energy and a displacement of industrial centres. The normal development of certain repair and finishing industries in partially industrialised non-European countries, and the effort in Europe itself on the part of certain nations with rapidly growing populations to enlarge their industrial equipment with a view to providing work for an ever-increasing number of individuals, have operated in a like direction.

The war indirectly increased the influence of these causes of instability. It intensified the desire of various nations to work up in their own territories the raw materials they produced; it augmented the number and the magnitude of the obstacles placed in the way of the movement of goods by tariffs and prohibitions and of the movement of persons by immigration laws, by passport regulations and by restrictions on the right of establishment in the case of foreigners. Finally, the changes made in the structure of the economic organism as a result of alterations in frontiers, the laborious readjustment of international relations, and the insecurity of the financial and monetary situation have further retarded or impeded the efforts by which the European nations have endeavoured to restore order in their industrial economic life.

Of these causes, some are no longer operative, though their effects may last after them. The danger of great immediate additions to equipment in industries where plant is already excessive is slight in the principal industrial countries; the will to save is being revived and the supply of capital grows steadily; exchange fluctuations are now confined to a few currencies and within much narrower limits than heretofore.

Other causes which were noticeable before the war, particularly the growth of industries in hitherto only partially industrialised countries, must be considered as permanent and in the new world situation susceptible of direction only within very restricted limits.

But it is on a third category of factors that the Conference, in accordance with its agenda, has had to concentrate its attention, namely those which by their nature can, in existing circumstances, be appropriately modified. Of these the most important are the restrictions and control of the movement of goods and persons and, above all, those which result from tariff and commercial policy. Certain of these problems have been before the Commerce Commission, and we need not therefore elaborate further this aspect of the problem. It is enough now to say that, owing to the growing facilities for transport and the constantly increasing number of raw materials required for industrial production, the natural development of industry is towards greater international intercourse and larger international enterprises.



## II. GENERAL CONSIDERATIONS.

This report does not attempt to cover again the same ground as the documentation, which has caused great interest at the conference, with regard to the situation and difficulties in different industries, but is confined to the few principal questions on which the discussions of the Conference have been concentrated. The Commission took as its central problem the question of how costs of production, and therefore prices, could be reduced, with the object of securing a better equilibrium between productive capacity and demand without adversely affecting the interests of the consumer or the worker. In particular, with this object in mind, it considered : (1) the question of rationalisation in its various aspects and in this connection, (2) international industrial agreements, and (3) the collection and exchange of information with regard to industrial conditions. It has been mainly preoccupied with the European situation, for it is that situation which at the moment presents the gravest difficulties and calls for the most careful consideration. The problems which arise and the recommendations submitted by the Conference are not entirely new. The need at the present time is to accelerate a process of evolution which has been operative for many years. That need has been intensified by the events of the last decade. To this end the moral prestige of the League, which has taken up these problems, the preparatory work which has been carried on for many months with the aid of economists of the highest standing, and the interesting and full discussions of the Conference itself have certainly attracted the attention of the public and have imparted a new energy and impulse.

## III. RATIONALISATION.

The first of these problems is that of rationalisation, by which we understand the methods of technique and of organisation designed to secure the minimum waste of either effort or material. It includes the scientific organisation of labour, standardisation both of material and of products, simplification of processes and improvements in the system of transport and marketing.

The Conference has unanimously recognised the benefits of rationalisation and of scientific management, and it asserts the urgent need of greater, more far-reaching and better co-ordinated efforts in this field.

While conscious of the advantages of rationalisation, both in the lowering of costs of production and of prices and in expanding markets, the Conference has not been blind to the temporary unfavourable consequences which its application may involve in the case of certain categories of workers. Though, both directly and as consumers, the latter should in due course obtain their share of the advantages of a better organisation of production, they may be adversely affected for a time by temporary unemployment while readjustments are being made. In the following resolutions, special account is taken of the legitimate anxiety which may thus be occasioned.

In view of the importance of this question of rationalisation, the Conference considers it desirable that the Economic Organisation of the League should keep in touch with the institutions specially concerned with this subjects, and should include a note of its developments in its reports on industrial conditions.

### *Resolutions.*

The Conference considers that one of the principal means of increasing output, improving conditions of labour and reducing costs of production is to be found in the rational organisation of production and distribution.

The Conference considers that such rationalisation aims simultaneously :

- (1) At securing the maximum efficiency of labour with the minimum of effort;
- (2) At facilitating by a reduction in the variety of patterns (where such variety offers no obvious advantage) the design, manufacture, use an replacement of standardised parts;
- (3) At avoiding waste of raw materials and power;
- (4) At simplifying the distribution of goods;
- (5) At avoiding in distribution unnecessary transport, burdensome financial charges and the useless interposition of middlemen;

Its judicious and constant application is calculated to secure :

- (1) To the community greater stability and a higher standard in the conditions of life;

- (2) To the consumer lower prices and goods more carefully adapted to general requirements;
- (3) To the various classes of producers higher and steadier remuneration to be equitably distributed among them.

It must be applied with the care which is necessary in order, while at the same time continuing the process of rationalisation, not to injure the legitimate interests of the workers; and suitable measures should be provided for cases where during the first stage of its realisation it may result in loss of employment or more arduous work.

It requires, further, so far as regards the organisation of labour in the strict sense of the term the co-operation of employees, and the assistance of trade and industrial organisations and of scientific and technical experts.

The Conference accordingly recommends that Governments, public institutions, trade and industrial organisations or public opinion as the case may be :

(1) Should lead producers to direct their endeavours along the lines indicated above, and, in particular :

- (a) To encourage and promote in every way the investigation and comparison of the most adequate methods and most practical processes of rationalisation and of scientific management, and of the economic and social results obtained thereby;
- (b) To apply these endeavours in industry, agriculture, trade and finance, not merely to large but also to medium and small undertakings, and even to individual workers and handicraftsmen, bearing in mind the favourable effects which they may have in household organisation and amenities;
- (c) To give special attention to measures of a kind calculated to ensure to the individual the best, the healthiest and the most worthy employment such as vocational selection, guidance and training, the due allotment of time between work and leisure, methods of remuneration giving the worker a fair share in the increase of output, and, generally, conditions of work and life favourable to the development and preservation of his personality;

(2) Should carry on systematically on an international as well as a national basis the standardisation of materials, parts and products of all types which are of international importance, in order to remove the obstacles to production and trade which might arise from a purely national policy of standardisation;

(3) Should undertake on an international basis investigations for ascertaining the best methods employed and the most conclusive results obtained in every country in the application of the principles set out above, utilising the investigations already made in certain countries and encouraging the exchange of information among those concerned;

(4) Should spread in all quarters a clear realisation of the advantages and the obligations involved in rationalisation and scientific management as well as of the possibility of their gradual achievement.

#### IV. INTERNATIONAL INDUSTRIAL AGREEMENTS.

The Conference has examined with the keenest interest the question of industrial agreements, which have recently considerably developed and have attracted close attention from those sections of the community whose interests are affected by them and from the public opinion of the various countries.

The discussion has revealed a certain conflict of views and has occasioned reservations on the part of the representatives of different interests and countries. In these circumstances, the Conference has recognised that the phenomenon of such agreements, arising from economic necessities, does not constitute a matter upon which any conclusion of principle need be reached, but a development which has to be recognised and which, from this practical point of view, must be considered as good or bad according to the spirit which rules the constitution and the operation of the agreements, and in particular according to the measure in which those directing them are actuated by a sense of the general interest.

The Conference considers that the field of operation for agreements, both national and international, is usually limited to branches of production which are already centralised

and to products supplied in bulk or in recognised grades, and that, consequently, they cannot be regarded as a form of organisation which could by itself alone remove the causes of the troubles from which the economic life of the world and particularly of Europe, is suffering.

Nevertheless, in certain branches of production they can — subject to certain conditions and reservations — on the one hand, secure, a more methodical organisation of production and a reduction in costs by means of a better utilisation of existing equipment, the development on more suitable lines of new plant, and a more rational grouping of undertakings, and, on the other hand, act as a check on uneconomic competition and reduce the evils resulting from fluctuations in industrial activity.

By this means they may assure to the workers greater stability of employment and at the same time, by reducing production and distribution costs and consequently selling prices, bring advantages to the consumer. It is generally recognised that in this way agreements may in some cases be useful not only to producers but also to consumers and the community in general.

Nevertheless, the Conference considers, on the other hand, that such agreements, if they encourage monopolistic tendencies and the application of unsound business methods, may check technical progress in production and involve dangers to the legitimate interests of important sections of society and of particular countries.

It consequently appears to the Conference that it is entirely necessary that agreements should not lead to an artificial rise in prices, which would injure consumers, and that they should give due consideration to the interests of the workers. It is further necessary that they should not, either in intention or effect, restrict the supply to any particular country of raw materials or basic products, or without just cause create unequal conditions between the finishing industries of the consuming and producing countries or other countries situated in the same conditions. Nor must they have for their object or effect any reduction in the economic equipment which any nation considers indispensable, nor should they stereotype the present position of production, whether from the point of view of technical progress or of the distribution of industries among the various countries in accordance with the necessities imposed upon each by its economic development and the growth of its population.

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The Conference considered the question whether there was ground for establishing a special juridical regime and a system of supervision over agreements.

The documentation resulting from the labours of the Preparatory Committee shows that specific legislative or administrative measures in this direction have been taken by a limited number of countries only and that the measures adopted are widely divergent both in conception and form.

The Conference recognised that, so far as regards agreements limited to the producers of a single country, it is for each Government to adopt such measures in regard to their operation as it may think advisable. It agreed, however, that it is not desirable that national legislation should place an obstacle to the attainment of the benefits which agreements might secure by exhibiting a prejudice against them as such.

So far as regards international agreements, it is generally recognised that the establishment of an international juridical regime is impossible in view of the divergencies between the measures which various countries have considered it necessary to take in the matter, and on account of the objections of principle which a number of States would feel on national and constitutional grounds to any such system. It has, moreover, been pointed out that the laws and regulations and the tribunals of each country have jurisdiction not only over national agreements but also over international agreements in so far as they involve operations within the national territory.

On the other hand, it is desirable that voluntary recourse by parties to agreements to arbitral bodies should become general, subject to guarantees of the high competence of the latter in economic matters and their sense of the general interest.

From a more general standpoint, the Conference considers that the League of Nations should closely follow these forms of international industrial co-operation and their effects upon technical progress, the development of production, conditions of labour, the situation as regards supplies, and the movement of prices, seeking in this connection the collaboration of the various Governments. It should collect the relevant data with a view to publishing from time to time such information as may be of general interest. The Conference is of the opinion that the publicity given in regard to the nature and operations of agreements constitutes one of the most effective means, on the one hand, of securing the support of public opinion to agreements which conduce to the general interest and, on the other hand, of preventing the growth of abuses.

## V. INFORMATION.

It will be seen from the above analysis that the Conference attached special importance to the spirit which animates the leaders of industry and those who are responsible for its organic development. The provision of precise, complete and up-to-date information concerning production can only tend to develop in them a sense of the social service which their functions involve. At the same time, it should help the public to form a collective opinion which is at once well informed and reasonable. It is equally important to the industrialists themselves that they should be kept fully and accurately informed both of the development of their own industries and of the broader changes which take place in general industrial activity.

The Conference has had before it a series of monographs on certain industries of basic importance which has enabled it to obtain an accurate view of the character of the present situation of industry in the world. These memoranda, whose compilation has been rendered possible by the readiness with which industrial organisations in different countries have collaborated in the work and by the care and time which they have devoted to it, and also the monographs written by economists of wide reputation and those submitted to the Conference by a number of its members summarising the position and views of several of the delegations, should not be held to represent the last word in the questions under review. They should be regarded as a starting-point for the studies which it is hoped will be conducted in the future. It is essential to encourage the work already in progress, to promote, as far as possible, a common policy with reference to the manner in which information concerning industrial activity is compiled, and to urge both the national statistical bureaux and the Economic Organisation of the League to devote even more attention than heretofore to the collection of statistical data which shall be of use not only to Governments and experts but also to the business world.

The Conference decided that the information to be collected should cover all the principal industries of every country, but especially and in the first place those industries which are of world importance.

As to the channels through which these statistics might be collected and communicated, the Conference makes no specific recommendations to Governments. It considers, however, that accurate and internationally comparable data can hardly be collected without the assistance of the competent organisations of the industries concerned. While emphasising the value of comprehensive information, the Conference desires to draw attention to the necessity of adequate measures being taken to secure secrecy of individual returns. Finally, while urging the League to encourage the conclusion of international agreements as to the terms employed, the scope, and the methods of compilation of industrial statistics, the Conference is anxious to link up this work of systematisation with the similar work which may be undertaken with a view to the unification of Customs nomenclature.

### *Resolutions.*

#### I. The Conference considers that :

(1) Effective and co-ordinated production can only be achieved in the light of information of a general character, but precise and up-to-date, concerning raw material supplies, output, stocks, prices, wages, employment, etc.;

(2) It is desirable that these current data should make it possible to compile for each country with sufficiently developed industries quantitative indices of its industrial production;

(3) Such information facilitates a proper adjustment of supply to demand and the laying-down of a policy of production counteracting the effects of fluctuations of commercial activity.

In this connection, attention may be drawn to the resolutions which have already been adopted by the Economic Committee of the League of Nations.

The Conference accordingly recommends :

(1) That statistics of this kind should be obtained regularly, for each country, both for the basic world industries and also, in order to render possible the compilation of quantitative indices of national production, for the chief industries of each country; and that this information should be obtained, in as far as possible, in collaboration with competent organisations;

(2) That Governments should periodically take complete industrial censuses

#### II. The practical value of such statistics is dependent on the comparability and uniformity of the data furnished by each State.

It is desirable that adequate publicity be given to this information, and that it may be internationally co-ordinated and employed.

The Conference accordingly recommends :

(1) That the Economic Organisation of the League of Nations should take all suitable measures so that Governments, in collaboration with the chief industries, should arrive at international agreements with reference to the definition of the terms, the methods employed, and the scope of the statistics;

(2) That the Economic Organisation of the League of Nations should collate the information provided referring to sources and supplies of raw materials, production, stocks, prices, etc., and the International Labour Office that concerning wages, hours of labour, employment, etc.;

(3) That the Economic Organisation of the League of Nations should arrange for the compilation of :

- (a) Statistical and general reports of an international character with reference to the organic development and the general conditions obtaining in different branches of production, beginning with the basic world industries;
- (b) Special studies concerning the sources of supply of certain types of raw materials, more especially of those a world shortage of which in the future may be anticipated;
- (c) Reviews, similar to those which have already been published, of the changes which take place in world production and trade.

## AGRICULTURE.

### I. INTRODUCTION.

Agriculture is the occupation of the majority of workers throughout the world; its various products represent in value the greater part of human labour, and the exchange of its products against industrial products forms, indeed, the basis of world trade.

The agricultural population remains for humanity a reservoir of energy capable of preserving the nations from the rapide human wastage which may result from any excessive growth of industry.

The quantity of foodstuffs and raw materials produced by agriculture is one of the factors which determine the maximum limit of industrial development.

The interdependence existing between nations is no less close between the main classes of occupations — agriculture, industry and commerce — and it would be vain to hope that one class could enjoy lasting prosperity independently of the others.

Agriculture is at present hampered in the complete fulfilment of the economic role assigned to it by a general depression varying in degree but affecting a large number of countries on which the world depends for its supply of foodstuffs and raw materials.

The economic depression in agriculture is characterised by the disequilibrium which has arisen between the prices of agricultural products and those of manufactured products; as a result, agriculturists in a great number of countries no longer receive a sufficient return for their labour and on their capital. This depression is aggravated in many countries by the difficulty of obtaining credit on normal terms and by the great increase in fiscal charges; while it has led to a decrease in the purchasing power of agriculturists, consumers have not, in all cases, benefited by a fall in the price of foodstuffs.

The diminution in the purchasing power of the agricultural population has reacted upon industrial production, and is consequently one of the causes of unemployment, which in its turn reduces the outlets for agricultural products.

Unless practical measures are taken to restore the price equilibrium, it is to be feared that sooner or later there will be a diminution in agricultural production detrimental to the welfare of mankind.

Technical means exist, however, for a considerable development of agricultural production. They must therefore be put into operation. Their general adoption would have the most beneficial consequences for the prosperity and economic peace of the world.

### II. GENERAL RESOLUTIONS

1. The Conference regards as a vital economic question the increase of agricultural production, and, with this in view, the placing of agricultural on an equal footing with

industry by enabling all those engaged in agriculture to obtain a satisfactory standard of living and a normal return for their labour and on their capital.

It is important that this necessity should be brought home to public opinion, which does not always realise the true situation of agriculture and too often regards it as an industry of secondary importance.

2. The improvement of agriculture must in the first place be the work of the agriculturists themselves. The general adoption of technical improvements, the scientific organisation of production and stock-breeding, of the campaign against the diseases and the enemies of plants and animals, of marketing, of the standardisation of agricultural products in the interests both of the producers and consumers, of the search for outlets, and of credits and insurance, will permit agriculturists to reduce their costs of production in their own interests and to the benefit of consumers.

Owing to the considerable number of small and medium-sized agricultural undertakings—the tendency towards concentration displayed in industry being absent—the organisation of agriculturists should be continued along the lines of association and co-operation which have already been tested in many countries; it may with advantage be supplemented by agreements between agricultural and consumers' co-operative societies.

It is to the interests of Governments to encourage agriculture and the agricultural associations which have as their object the improvement of the situation of the agricultural population. In particular, the creation and development of mutual credit would be greatly facilitated by Government assistance.

The Conference draws the attention of the Governments to the fact that high rates of interest and heavy taxation hamper production.

3. Other measures to be contemplated depend chiefly on legislative action. In particular, the Conference is of opinion that social laws ensuring the welfare and security of workers should benefit agriculturists no less than industrial workers and employees, it being understood that such laws must be adapted to the special requirements of agriculture and to the special living and working conditions of rural populations. It is also of the opinion that agricultural instruction at all stages and the technical training of agriculturists should receive the attention of the different Governments as well as of agricultural associations.

4. It is desirable that all hindrances to the free circulation of and trade in agricultural products should be removed, in so far as their removal does not endanger the vital interests of the different countries and their workers.

In those States in which Customs protection is maintained, it should be reduced, both for industry and agriculture, to the lowest possible point indispensable to production; care should be taken to assist in the maintenance of an equitable balance between industry and agriculture and not to stifle one to the advantage of the other.

The system of export prohibitions and export duties (with the exception of taxes levied for the benefit of the industry concerned) and frequent changes in Customs tariffs, which long experience has shown to be ineffectual and dangerous, should be definitely abandoned.

5. The agriculturist should find his just remuneration not through speculation but in the regularity of prices, permitting him to reckon on a legitimate return equivalent to that accorded to other producers.

6. Since, finally, the policy pursued in industrial or commercial questions reacts on the economic situation of agriculture, and *vice-versa*, the Conference requests the League of Nations to ensure that in all its organisations already existing or to be formed which are or may be entrusted with economic questions, a place be always reserved agriculture proportionate to its importance as a social and economic factor.

### III. SPECIAL RESOLUTIONS.

In addition to the general resolutions formulated above, the Conference draws the attention of the League of Nations to the following points :

#### 1. Agricultural Co-operation : Relations between Agricultural Co-operative Societies and Consumers' Co-operative Societies.

(i) The agriculturists of the different countries contribute to the improvement of their standard of living and to the general prosperity by utilising to an increasing extent all forms of co-operation : co-operative supply societies, either for the technical or domestic requirements of members; co-operative selling organisations for the regular marketing of products; producers' co-operative societies for the intermediate process between the production of the raw material and the sale of the finished product; co-operative credit

societies to meet the need for capital (bringing equipment up to date, improving the cultivation of the soil, storage of products).

Co-operative institutions thus increase the purchasing power of agriculturists both as producers and as consumers. At the same time, they further economic progress both by increasing productivity and improving quality and also by making it possible to utilise fully the products of the soil and their by-products. Lastly, they assist the organisation of markets by methods which reduce to a minimum the costs of distribution.

(ii) Agricultural co-operative societies will contribute to a still greater rationalisation of economic life in proportion as they develop their relations with the consumers' co-operative societies. Direct commercial relations between producers and consumers, and between associations of producers and of consumers, eliminate superfluous intermediaries, and, when they are sufficiently widespread, result in the establishment of prices which are advantageous to both parties. In addition to material profit, there is a moral advantage; by direct commercial relations producers and consumers learn to know each other and to take account of the special characteristics and requirements of the other party. The producers' and consumers' co-operative societies learn to appreciate the value of direct relations in accordance with their common principles. The clear realisation of the possibility of mutual collaboration and mutual confidence in business transactions are essential to a practical solution of the question of direct commercial relations between producer's agricultural co-operative societies and consumers' co-operative societies—a question which has for a long time past been settled in theory.

The efforts made to achieve practical results should be furthered on the part of agriculture by the production of articles of specific quality and uniform type; on the part of the consumers' co-operative societies by the determination to buy agricultural produce as far as possible from the agricultural producers' co-operative societies; on the part of States and of public authorities by supporting the co-operative movement through the creation of chairs at universities or of other scientific institutions, the institution of public courses dealing with the co-operative movement and by a fiscal policy of abstention from discriminatory measures against co-operative societies.

Effective collaboration, if need be in the form of common undertakings, will be the easier of realisation if the producers' and consumers' co-operative societies of the different countries are already nationally organised in common economic committees.

To ensure the normal development of co-operation in all the branches in which it exercises its activities, it is extremely important that the laws which govern co-operation should be unified where such is not yet the case, and should impose the fewest possible obstacles.

(iii) International agreements between co-operative agricultural organisations with regard to a number of products might be of value in placing markets on a sound basis, in regularising production and in stabilising prices at levels satisfactory from the point of view of the balance between production and consumption. Such international agreements, to attain their aims, require loyal collaboration with the national and international co-operative consumers' organisations by the establishment of regular business channels and long-term contracts.

(iv) These efforts of agricultural and consumers' co-operative organisations should be encouraged and furthered by the creation of a committee representing national and international co-operative organisations of agriculturists and of consumers—a committee which should be entrusted with the establishment of a programme of research and documentation, as well as with the task of elucidating the lessons taught by past experience, with a view to bringing about new achievements.

## 2. Agricultural Credit.

The increase of agricultural production is intimately bound up with the organisation of agricultural credit, which will place at the disposal of agriculturists the necessary capital on favourable terms.

Certain countries have at their disposal sufficient capital for agriculture, but in many countries adequate provision for agricultural credit has not as yet been made, either because saving has been diminished by the general economic conditions or because the appropriate organisations have not yet been constituted.

Such a position is seriously harmful to agriculture in the countries in question, since it prevents agriculturist from increasing their harvests, from exploiting their land to the full extent, from securing lower costs of production and from providing for contingencies arising from the very nature of agricultural production by the use of suitable equipment or of a reserve working capital.

The first condition for surmounting these difficulties is the organisation of suitable credit institutions in those countries where they do not yet exist and their development where they are already in existence. The best form of institution appears to be the co-operative credit society operating by means of resources which the very fact of association enables it to procure and to increase with or without the assistance of the public authorities.

It is, moreover, by the co-operation of national organisations that necessary effective guarantees for appeals for credit, whether national or international, can be most easily procured.

Having had laid before it by several of its members schemes with regard to the setting-up of an international organisation capable of increasing the resources available for agricultural credits where they are as yet insufficient;

But having heard observations on that question based chiefly on the elementary consideration that credit must be secured by effective guarantees;

And being aware of the fact that the International Institute of Agriculture is collecting special information on the question of agricultural credits :

The Conference requests the League of Nations to give full consideration to the documentation of the International Institute of Agriculture with a view to examining the possibility of international collaboration in respect of agricultural credits in whatever form may be found from experience to be most suitable with a view to promoting the recovery of agriculture where agriculture is short of capital.

### **3. Campaign against the Diseases affecting Plants and Animals.**

Diseases which affect plants and animals diminish agricultural production, and should be scientifically combated, on the basis of an international plan and international agreements.

This international campaign has already been admitted in principle by forty-three nations, which have set up an „International Epizootic Office”, and the International Institute of Agriculture is proposing to convene a special conference to bring about united international action in connection with phytopathology.

International agreements which establish sanitary supervision, if they provide the contracting countries with adequate guarantees, should, without infringing sovereign rights, remove from the regulations any suspicion of disguised protection and should add to the stability of trade relations, which is one of the conditions of successful production.

### **4. Agriculture in colonies.**

The Conference recommends that an investigation be made into the best means of encouraging agriculture among the indigenous inhabitants in colonies and especially in tropical and subtropical colonies, in order to augment the prosperity of the indigenous inhabitants of those countries and to increase the general wealth.

### **5. Forestry.**

The Conference recommends that a special study should be made of the resources and the exploitation of forests in order to assure the regular satisfaction of the needs of industry.

### **6. Documentation on Agricultural Questions. — Statistics. — Enquiry.**

(1) Great as is the value of the documentation which has served as the basis for the discussions on agriculture, it must be acknowledged that there is not yet a sufficient foundation to permit of a complete analysis of all the problems or to suggest a solution of them.

The fundamental importance of agriculture demands an exact knowledge of its economic situation. Such knowledge can only be gained satisfactorily through a methodical analysis of farm accounts. Such researches would bring about a general improvement in agriculture. They would facilitate the mutual understanding between the nations, and the common interests of the agriculturists of all countries would thereby be interpreted with precision. Finally, a better understanding would be created between the producer and the consumer.

To achieve this purpose, it is desirable that in the different countries an exact system of farm accounting should be formulated. These accounts should be drawn up in every country as simply as possible, but by the method ensuring the greatest guarantee of accuracy, so as to obtain comparable results for the different kinds of agricultural enterprises



in any country, classified by climate, nature of soil, size of holding, systems of cultivation, principal crops grown etc., and so as to make it possible to study the influence exerted on the net return of agriculture by the factors of greatest importance in production and returns (wages, quantities of chemical fertilisers consumed, taxation and social charges, prices, indebtedness of agriculturists, etc. )

It is therefore recommended that a committee of experts be established charged with the study and preparation of the requisite measures.

(ii) The Conference considers it necessary that a better service of periodical agricultural statistics should be instituted, especially as regards live-stock and animal products. The data collected by the International Institute of Agriculture show that, during the last twenty-five years, only thirty-seven countries, representing less than half the total area and about 30 per cent of the population of the world, have as yet proceeded to the compilation of an agricultural census.

A world agricultural census on the lines proposed by the International Institute of Agriculture would make it possible to give to the statistical data of the different countries a character of uniformity which up to the present they have lacked.

It is no less necessary to organise, nationally and internationally, the speedy transmission to agriculturists of information on harvests, stocks, consumption, and the movements of different commodities, these being important factors in the formation of prices. The monthly publication of indices of comparative prices of agricultural products and industrial products would prove of great value, as would indices of the principal elements of the costs of production of agricultural products.

(iii) The Conference requests that all Governments should be invited to initiate a general enquiry into the present situation and the possibilities of developing agriculture, the distribution of holdings and the systems of exploitation, into the relations between agricultural and industrial production, into the comparison between agricultural and industrial prices, into the costs of production and selling prices, into the condition of the workers and into the facilities required for their access to the land, etc.—in fact, into the economic, social, financial and technical conditions of agriculture the study of which will permit further progress to be made.

## **ECONOMIC ORGANISATION OF THE LEAGUE OF NATIONS**

The Conference wishes in the first instance to express its high appreciation of the work of the Economic Committee and the Secretariat of the League.

The Conference is of opinion that success of its work will depend upon the execution of the principles laid down.

With regard to the action to be taken on its recommendations, the Conference, while offering no suggestion as to a permanent organisation, cannot do better than draw the Council's attention to the well-balanced composition of the Preparatory Committee, which has yielded excellent results in the preparatory work for the Conference.

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# MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

Vol. VII. No. 6.

Published on July 15th, 1927.

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## I. — Summary of the Month.

JUNE 1927

The forty-fifth session of the Council was the principal League meeting in June. Other League organisations meeting during the month were the Permanent Court of International Justice, whose ordinary session began on June 15th; the Mandates Commission, which examined a certain number of the annual reports of the Mandatory Powers on the territories committed to their charge; the Committee of Experts for the suppression of the offence of counterfeiting currency, which drew up a preliminary draft convention; the Committee of Budget Experts, which drew up a model statement of national defence expenditure; the Sub-Committee on combined transport and the Sub-Committee on Buoyage and Lighting of Coasts.

The Albanian and Serb-Croat-Slovene Governments addressed to the Secretary-General communications concerning the circumstances that led to the withdrawal of their diplomatic representatives from Belgrade and Tirana respectively. These communications were circulated for information to the Members of the Council.

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\* \*

The Naval Conference summoned on the proposal of the President of the United States met at Geneva on June 20th at the Secretariat of the League of Nations. Although this Conference, in which representatives of the United States, the British Empire and Japan are taking part, is not a League Conference, the British and Japanese Governments, in agreement with the United States Government, have requested the Secretary-General to grant all possible facilities for its work.

### *Forty-fifth Session of the Council.*

The Council sat from June 13th to June 17th, Sir Austen Chamberlain (British Empire) presiding, to consider an Agenda of some thirty-five questions.

There were present :

M. VANDERVELDE . . . . .	(Belgium)
Sir AUSTEN CHAMBERLAIN . . . . .	(British Empire)
M. VILLEGAS . . . . .	(Chile)
M. CHAO-HSIN-CHU . . . . .	(China)
M. URRUTIA . . . . .	(Colombia)
M. BENES . . . . .	(Czechoslovakia)
M. BRIAND . . . . .	(France)
M. STRESEMANN . . . . .	(Germany)
M. SCIALOJA . . . . .	(Italy)
Viscount ISHII . . . . .	(Japan)
M. BEELAERTS VAN BLOKLAND . . . . .	(Netherlands)
M. ZALESKI . . . . .	(Poland)
M. TITULESCO . . . . .	(Roumania)
M. YUDICE . . . . .	(Salvador)

Representatives of Bulgaria, Finland, Greece, Hungary and Lithuania sat on the Council for the consideration of questions affecting the interests of their country. Certain debates were attended by the President of the Danzig Senate, Dr. Sahn; the League High Commissioner at Danzig, Dr. van Hamel; the Chairman of the Greek Refugee Settlement Commission, Mr. Eddy; the League Commissioner at Sofia,

M. Charron; the High Commissioner for refugees, Dr. Nansen; and the Chairman of the Financial Committee, Dr. Pospisil.

The principal interest of the Session lay in the discussions on disarmament and security and on the results of the Economic Conference.

Certain questions, such as those concerning the utilisation of the Westerplatte and the request of the Roumanian and Hungarian Governments, were adjourned for further consideration.

A question relating to Memel, raised by the German Government was, by agreement between that Government and the Lithuanian Government, withdrawn from the agenda following assurances by the Lithuanian Prime Minister of his Government's intentions in regard to a number of questions connected with the Statute of Memel and in particular with the autonomy of the Territory.

The date of the Diplomatic Conference on Import and Export Prohibitions was fixed at October 17th. Measures were taken with a view to opening for signature, at the next session of the Assembly, the Protocol for the Enforcement of Foreign Arbitral Awards. The Council authorised the Financial Committee to continue cooperating with the Greek Government with a view to the termination of the refugee settlement work and the application of a general scheme of stabilisation and financial reform. For this operation the Financial Committee considered that a sum of £9,000,000 would be necessary and could be raised by loan.

The Council decided to convene in 1928 a Conference of Experts to examine the draft conventions prepared on double taxation and tax evasion. It authorised the Committee on Intellectual Cooperation to appoint two representatives on the Committee of Intellectual Workers to be set up by the International Labour Office.

As usual, the Council took certain measures to prepare the work of the Assembly and to ensure the continuation of that already undertaken by the League organisations in various fields, such as public health, opium, the protection of children and young people, the suppression of slavery, etc. As regards the codification of International law, it left it to the Assembly to decide what action should be taken on the report of the Committee of Experts, concerning in particular, the convocation of conferences and the procedure to be followed in preparing them.

A statement by Dr. Nansen on the position as regards the settlement of Armenian refugees will be communicated to all Governments, together with declarations made on the subject by Members of the Council.

Telegrams to the League from the Uruguayan Foreign Minister and the six Latin American members of the Montevideo Conference afforded the President of the Council an opportunity of marking the special interest attaching to this Conference as the first League meeting on Latin American soil.

*Retirement of Viscount Ishii.* — The President informed his colleagues of the forthcoming retirement of Viscount Ishii, one of the oldest members of the Council. On behalf of his colleagues, he expressed his warm appreciation of Viscount Ishii's services and his deep regret at his departure.

Viscount Ishii said he would take away with him pleasant memories of his cooperation with the Council, it was his intention, even when far away from Geneva, to continue working for the triumph of the cause of the League.

## II. — The Permanent Court of International Justice (1)

### 1. — TWELFTH SESSION OF THE COURT

As provided in its Statute, the Permanent Court of International Justice assembled on June 15th at the Peace Palace for its ordinary session of 1927.

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(1) This article has been compiled on the basis of information furnished by the Registrar of the Permanent Court.

If is for this session composed of all the ordinary judges, namely : M. Huber, President (Switzerland), M. Loder, former President (Holland), M. Weiss, Vice-President (France), Lord Finlay (Great Britain), M. Nyholm (Denmark), Mr. Moore (United States of America), M. de Bustamante (Cuba), M. Altamira (Spain), M. Oda (Japan), M. Anzilotti (Italy), M. Pessôa (Brazil).

M. Weiss will not, for reasons of health, be able to sit during the first weeks of the session, During his absence, M. Yovanovitch (Kingdom of the Serbs, Croats and Slovenes), deputy-judge, has been called upon to replace him, as Mr. Wang, who, according to the system of rotation had first been summoned, could not reach the Hague in sufficient time.

Furthermore, the Court will, on several occasions have to be augmented by judges sitting temporarily, as it has before it a number of suits the parties to which do not possess judges of their nationality amongst the members of the Court and in such cases the Statute confers on them the right to appoint judges *ad hoc*. [The names of these judges have previously been given in connection with the various cases (1).]

The following cases are actually before the Court :

I. The question concerning the jurisdiction of the European Commission of the Danube submitted to the Court for advisory opinion by the Council of the League of Nations, in accordance with an arrangement reached between the representatives of France, Great Britain, Italy and Roumania.

II. The case concerning the dispute which has arisen between the French and Turkish Governments as a result of the collision which occurred on August 2nd 1926, between the steam-ships "Boz-Kourt" and "Lotus".

III a) The case between the German and Polish Governments relating to the indemnities claimed by the German Government in consequence of the taking possession of the nitrate factory at Chorzow in Upper Silesia by the Polish Government, the Court itself, in its Judgement of May 25th 1926, having declared that this act on the part of the Polish Government was not in conformity with the terms of the Geneva Convention of 1922 concerning the partition of Upper Silesia.

b) The Polish Government has, in the present case, raised an objection to the Court's jurisdiction to consider the German Government's application.

IV. The case between the Belgian and Chinese Governments concerning the declaration by China to the effect that the Sino-Belgian Treaty of November 2nd 1865, has ceased to be operative.

V. The case between the Greek and British Governments concerning the putting into conformity with the new economic conditions of the Mavrommatis Jerusalem Concessions obtained in 1914.

Only the cases indicated under Nos. 1 to 3 are included on the list for the present session.

The Court has decided first to take the plea to the jurisdiction filed in the Chorzow (indemnities) case. It will next take the Lotus case—beginning in principle on August 1st. Lastly, the Court will, according to its present intentions, take the question concerning the jurisdiction of the European Commission of the Danube.

This order of taking the cases has been fixed subject to any modifications which may be necessary as the result of the reference to the Court of some urgent matter during the session.

The foregoing information was made public at an opening sitting held by the Court on June 18th.

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(1) See *Monthly Summary*, Vol. VII, No. 1, p. 3; No. 3, p. 58; No. 4, p. 92.



## 2. — THE CHORZOW (INDEMNITIES) CASE

The hearings in regard to the preliminary objection taken by the Polish Government to the jurisdiction of the Court to deal with this case, took place on June 22<sup>nd</sup>, 24<sup>th</sup> and 25<sup>th</sup>.

At the beginning of the first hearing, the judges *ad hoc* appointed in accordance with the terms of the Statute by the German and Polish Governments to sit in the case (1) made the solemn declaration prescribed by the Statute, to perform their duties impartially and conscientiously.

The Court then heard the speeches of M. Sobolewski and M. Politis, Agent and Counsel respectively for the Polish Government, and Professor Kaufmann, Agent for the German Government. Lastly, M. Politis and M. Sobolewski replied and Professor Kaufmann delivered a Rejoinder.

In announcing the termination of the hearings, the President did not declare the oral proceedings closed, as he wished to reserve to the Court the option, did it so desire of calling upon the parties for additional information.

The Court has entered into deliberation.

## 3. — THE "LOTUS" CASE (2)

As the written proceedings in regard to this case have been concluded, it is ready for hearing; in principle, the oral proceedings will begin as on or after August 1<sup>st</sup>, 1927.

## 4. — QUESTION OF THE JURISDICTION OF THE EUROPEAN COMMISSION OF THE DANUBE (3)

At the request of the Roumanian Government, the time for the submission of any replies to the Memoranda filed in this case by the interested Governments has been extended to August 1<sup>st</sup>.

The Roumanian Government has informed the Registrar that it has entrusted M. Millerand, former President of the French Republic, and M. Charles de Visscher, Professor at Ghent, and deputy-secretary-general of the Institute of International Law, to represent its views before the Court. M. Contzesco, Minister Plenipotentiary, will remain Agent for the Roumanian Government.

## 5. — CASE CONCERNING THE DENUNCIATION BY CHINA OF THE SINO-BELGIAN TREATY OF 1865 (4)

As the result of a new request of the Belgian Government, made on the same grounds as its analogous request of May 2<sup>nd</sup>, the Court, having regard to the fact that this request seemed designed to meet a wish of the Chinese Government, which at all events did not oppose it, has decided to extend until February 15<sup>th</sup>, 1928, the time allowed for the filing of the Chinese Counter-Case. The written proceedings will be completed on May 15<sup>th</sup>, 1928; so that the case will be ready for hearing at the Court's next ordinary session.

This decision, which involves the removal of the case from the list for the present session, was embodied in the form of an Order made at the hearing of June 18<sup>th</sup>.

## 6. — CASE CONCERNING THE READAPTATION OF THE MAVROMMATIS JERUSALEM CONCESSIONS (5)

The Greek Government has appointed as its Agent for the case, His Excellency M. Papas, Greek Minister at the Hague.

(1) See *Monthly Summary*, Vol. VII, No. 4, p. 92.

(2) See *Monthly Summary*, Vol. VII, No. 2, p. 37.

(3) See *Monthly Summary*, Vol. VII, No. 4, p. 92.

(4) See *Monthly Summary*, Vol. VII, No. 4, p. 92.

(5) See *Monthly Summary*, Vol. VII, No. 5.

M. Papas, having presented the Greek Case in this suit on June 4th, the Court has fixed July 5th as the date of expiration of the time allowed for the submission of the British Government's Counter-Case or of any preliminary objections which it may make. The written proceedings in the suit will be concluded on August 30th.

The Greek Government has expressed a wish that the Court should take the case during this session; no decision on this point has however yet been taken.

### III. — Reduction of Armaments.

A series of questions relating to the reduction of armaments and security were dealt with by the Council on June 15th. These questions had previously been studied by various League organisations, such as the Committee of the Council, the Special Committee of the Private Manufacture of Arms, the Preparatory Commission for the Disarmament Conference, and the League Secretariat.

The Colombian representative, M. Urrutia, presented a report on the legal position arising from the enforcement in time of peace of the measures of economic pressure indicated in Article 16 of the Covenant, particularly by a maritime blockade. On this question the Secretariat had prepared a memorandum which will be communicated to all States Members in order to enable Governments to take note of it before the Assembly meets.

The Czechoslovak representative, Dr. Benes, reported on the following questions :

#### 1. — LEGISLATION CALCULATED TO MAKE IT EASIER FOR STATES TO APPLY ECONOMIC SANCTIONS (1)

The Secretary-General has established a preliminary report summarising the replies received from Governments to the circular addressed to them on this subject. These replies, the rapporteur stated, might be classified as follows :

- (1) replies from States which had not yet taken a decision;
- (2) replies from States which were ready to investigate, or were already investigating possible legislative measures;
- (3) replies from States in which measures had already been taken. Among the last named might be mentioned the French and Czechoslovak Governments.

The Council decided to communicate the report to the States Members of the League.

#### 2. — METHODS OR REGULATIONS TO ENABLE THE COUNCIL TO TAKE SUCH DECISIONS AS MAY BE NECESSARY TO ENFORCE THE OBLIGATIONS OF THE COVENANT AS EXPEDITIOUSLY AS POSSIBLE (2).

In submitting the report of the Committee of the Council on this subject, Dr. Benes observed that it would be of considerable advantage if all Members of the League could have an opportunity of expressing their views before the Council came to a definite decision in this matter. After an exchange of views between Dr. Benes,

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(1) See *Monthly Summary*, Vol. VII, No. 3, p. 60.

(2) See *Monthly Summary*, Vol. VI, No. 12, p. 295.

M. Paul-Boncour, M. Scialoja and Sir Austen Chamberlain, the Council adhered to this opinion, considering it desirable to postpone its final decision till a meeting to be held after the Assembly.

### 3. — SUPERVISION OF THE PRIVATE MANUFACTURE OF ARMS, MUNITIONS AND IMPLEMENTS OF WAR

Dr. Benes submitted to the Council the report of the Special Committee dealing with this subject <sup>(1)</sup>. He drew attention to the close connection existing between the problem of the private manufacture of arms and the more general problem of the reduction of armaments and expressed his opinion that it was desirable that the enquiries already begun should be carried on by the Special Committee, concurrently with the work of the Preparatory Commission for the Disarmament Conference.

M. Scialoja submitted certain observations, based on Article 8 of the Covenant, bearing on the connection between the questions of disarmament and that of the supervision of the private manufacture. He pointed out that State manufacture formed part of the general question of disarmament and had nothing to do with that of the supervision of private manufacture.

Dr. Benes recalled that, during the discussions of the Special Committee, two points of view had come to light, one in favour of strictly confining the problem of private manufacture within the limits laid down by the Covenant, the other favouring the inclusion of the question of State manufacture in the general problem of arms manufacture, in the same way as, in the Convention for the supervision of the trade in arms, the question of State trade had been settled at the same time as that of the private trade. The rapporteur pointed out that the United States had made its participation in the discussions conditional upon the inclusion of both questions in the Agenda.

The Council noted the report of the Special Committee, and expressed the view that the enquiries already begun should be carried on by it.

### 4. — COMMUNICATION BY THE PRESIDENT OF THE PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE

On the report of Dr. Benes, the Council noted the draft convention adopted on first reading by the Preparatory Commission for the Disarmament Conference and the covering letter of the President of the Commission.

The rapporteur observed that there was no doubt that the problem of the reduction and limitation of armaments could only be solved by the closest cooperation between the Assembly, the Council and the various special commissions on the one hand, and the Governments and the public opinion of their countries on the other.

The French representative, M. Paul-Boncour, emphasised that the report of the Preparatory Commission gave evidence of the extremely important stage which had been passed. In his opinion the adjournment of the Preparatory Commission was in no sense a confession of impotence, and the points upon which agreement had been reached were far more numerous than those in regard to which this had not been possible. The object of the adjournment was to give the Governments time to consider the report, so that the Commission would be able to achieve definite results in November.

Dr. Stresemann (Germany) considered that, without under-estimating the work of the Preparatory Commission, it must be said that it had not been able to advance the solution of the problem very much. He thought that a fundamental change was necessary if the second reading were not to result in a failure which would be detrimental to the prestige of the League.

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(1) See *Monthly Summary*, Vol. VII, No. 3, p. 58.

Under the terms of the Covenant, all the Members of the League were under an obligation to reduce their armaments, and this question was urgent, since both the existence and the activity of the League depended upon general disarmament. Dr. Stresemann expressed the hope that the Assembly might give a new stimulus to this work.

M. Vandervelde (Belgium) supported the observations made by M. Paul-Boncour and Dr. Stresemann. If the work were to succeed, Governments must show the will to make it succeed, and for this, public opinion must show its active interest. The preparatory work had put an end to vague and abstract definitions; the problem had now shaped itself and must be solved.

Dr. Benes paid a tribute to the work of the Preparatory Commission, emphasising that, for the first time, the question of disarmament had been approached in its full extent. His colleagues would recollect how vague those questions had been two or three years, or even one year ago. The path was unknown, no definite terms had been discovered for framing a certain number of questions which were of great importance to the Governments concerned. Dr. Benes thought his colleagues would recognise that in a few years the League had achieved a very satisfactory result.

The British representative, Sir Austen Chamberlain, emphasised the difficulties of the disarmament problem, pointing out that one element was essential to success, namely, time.

He felt sure that further progress would be made before the Preparatory Commission had finished its work. His own view was, however, that not even the Disarmament Conference, when it met, would bring about the final solution of the problem. It would be the first, but not the last, general international conference on disarmament, and it was only by slow and gradual steps that it would be possible to arrive at that measure of peace and confidence in one another by which could be realised the expectations to which the Covenant gave rise.

##### 5. — FINANCIAL ASSISTANCE FOR STATES VICTIMS OF AGGRESSION

On June 17th, the Council dealt with the question of financial assistance for States victims of aggression. On the proposal of Dr. Benes, it decided to forward to Governments of States Members the report of the Financial Committee on this question.

The Financial Committee has drawn up a concrete plan which the Council will discuss at its next session. The scheme aims at organising financial assistance for a State by a system on which the credit of the individual country is strengthened by association with that of other States. The credits would be obtained in the ordinary way in the money market, and the attacked State would itself contract a loan on the general security of its revenues, but with the aid of an international guarantee, whose mechanism would be similar to that applied in the case of the Austrian Reconstruction Loan. It is proposed that the scheme and general conditions should be embodied in a convention open for signature by the various States, but that a State should not benefit by it unless it becomes a party to the convention within a period to be fixed.

The Finnish representative, M. Erich, thanked the Council for studying this question, which was brought before the League by the Finnish Government.

##### 6. — NATIONAL DEFENCE EXPENDITURE

The Committee of Experts on Budget Questions appointed by the Preparatory Commission for the Disarmament Conference to draw up a model statement of national defence expenditure finished its work in June.

At its session in February and March the Committee had prepared a draft model statement designed to serve as a basis for further study.

The Preparatory Commission for the Disarmament Conference asked the experts to continue their work and invited them to draw up as simple as possible a statement which would nevertheless serve the purpose of publicity for which it was intended. A technical committee, composed of six experts, resumed work on June 7th under the chairmanship of M. Jacomet (France) with a view to drawing up a final report.

The analysis of the practical studies made by the experts in the interval between the sessions showed the technical necessity of simplifying the model statements as first drafted. At its June session the Committee of Experts adopted unanimously the following conclusions :

Having regard to the synthetic character of some of the budgets, it was found necessary, on technical grounds, to adopt a simple form of Model Statement, which is given in the Annex.

In consequence of the simplicity of the Model Statement the Committee has drawn up notes explaining how the various headings of the Model Statement are to be regarded as ideals from which States may deviate to a certain extent, explaining their reasons for so doing.

It is necessary to provide for some system of co-ordinating the totals in the Model Statement and the totals in the National Defence Budgets. It is further necessary on technical grounds to arrange for the co-ordination of the figures in the Model Statement with those in the budget according to a uniform plan, but it is for the Governments to decide whether they will forward a co-ordinating statement to the competent organisation.

The Committee considers that for any given country the headings of the Model Statement can be filled in in the same manner every year unless material changes take place in the military organisation or in the methods of financial administration of the country in question.

On the other hand, the Committee considers that the different headings in the Model Statement cannot in present circumstances be filled in by all the States in precisely the same way, but it hopes that as experience is gained with the Model Statement these differences will progressively diminish.

The following took part in the work of the Committee :

M. Worbs, Adviser, Finance Ministry, Berlin;  
M. H. Prenen, Inspector General, National Defence Ministry, Brussels;  
M. Boris Ivanoff, Chief of the Budget, Finance Ministry, Sofia;  
Major H. Lagos, Chilian Military Mission, Brussels;  
Mr. G. H. S. Pinsent, Treasury Chambers, London;  
M. Risto Ryti, Chief Director, Bank of Finland, Helsingfors;  
M. R. Jacomet, Paymaster General, Paris;  
Colonel F. Zugaro, General Director, War Ministry, Rome;  
Captain T. Hori (Japan);  
General Sugiyama (Japan);  
General of Division Daniel Kalafatovitch (Kingdom of the Serbs, Croats and Slovenes);  
Lieut. Colonel Elias, National Defence Ministry, Prague.

#### IV. — Legal and Constitutional Questions.

##### 1. — POSSIBLE REDUCTION OF THE YEARLY NUMBER OF COUNCIL SESSIONS

At its March meeting, the Council, on the proposal of the British representative, requested the Secretary-General to submit at its next session a report on the administrative results of reducing the yearly number of regular Council sessions from four to three. The British representative had stated that, in his opinion, such a

measure would facilitate the task of those Foreign Ministers who represented their countries on the Council.

In his report, the Secretary-General — leaving it to the Council to take account of the general political considerations involved — noted that, as far as could be judged at present, the reduction of the number of sessions would not cause any serious difficulties from an administrative point of view. He nevertheless brought forward certain arguments in favour of the adjournment to September of any final decision.

On June 13th, Sir Austen Chamberlain, reminding his colleagues that this question was being discussed at his suggestion, said that it appeared to have given rise to needless anxiety, and suspicion in certain quarters. He did not think it necessary to say that he would make no proposal to the Council which could in any way impair its influence, authority and usefulness. He had directed the attention of the Council to the difficulties caused by the number of its sessions in the hope that a study of the question might perhaps tend to a solution which would affirm its authority.

Sir Austen Chamberlain was unable to understand how the interests of the Assembly or of any of the Members of the League could be prejudiced by the proposal to hold three regular sessions in the year instead of four. The presence of Foreign Ministers increased the influence and authority of the Council, but it was very difficult for these Ministers to leave their posts four times a year. Sir Austen Chamberlain considered that, if the result of a reduction of the number of sessions were to confirm the practice according to which Foreign Ministers attended the Council meetings, the proposed change would be wholly to the advantage of the League.

He recognised that, at first sight, the change appeared a large one. It required mature consideration and reflection and should only be adopted if, after such examination, it received the general support of the Council and the Assembly. He accordingly proposed that no decision should be taken at this session, that the matter should be considered again by the Council as constituted after the September elections, and that a final decision should be taken when both the Council and the Assembly had had an opportunity of expressing an opinion on the subject.

The Council agreed to this proposal.

## 2. — ADMISSIBILITY OF RESERVATIONS TO GENERAL CONVENTIONS

On June 17th, the Council took note of a report by the Polish representative, M. Zaleski, on the admissibility of reservations to general conventions.

This question had previously been studied by the Committee of Experts for the Progressive Codification of International Law whose advice on the subject had been sought by the Council.

M. Zaleski observed that if the principles of the report were acted upon, this would prevent States from attaching to their signature or accession reservations which were not accepted by the other parties to the convention, but it might well be that a State might desire to make a reservation which, if it had been put forward during a conference, would have been accepted by the other parties, in order to permit the State in question to become a party to the convention.

In order to determine, after the close of a conference, what reservations were acceptable, M. Zaleski proposed that the Council should call the attention of future League conferences to the desirability of adopting in suitable cases procedure similar to that followed in the drafting of the Convention on Customs Formalities in 1923.

At the end of the Conference on that subject, all the reservations which it was prepared to allow to be made were embodied in a separate protocol; they mostly related to two particular articles of the Convention, and the protocol provided that subsequent reservations to those two articles should be accepted if the Council so decided after consulting the Economic Committee, which was the technical body

responsible for the preparatory work of the Conference. M. Zaleski added that this procedure possessed considerable advantages; it placed definitely on record the reservations made during the conference and the consent of the other signatories thereto, and it provided some machinery for ensuring the acceptance of reservations consistent with the intentions of the original signatories, but no others.

The Council accordingly requested the Secretary-General to be guided by the principles of the report regarding the necessity for acceptance by all the Contracting States, when dealing in future with reservations made after the close of a conference at which a convention is concluded, subject, of course, to any special decisions taken by the conference itself.

It drew the attention of conferences on technical subjects to the fact that in cases where the text of a convention contained, in the opinion of the signatories, certain articles to which reservations could be made without prejudice to the other articles, a method similar to that adopted by the Customs Conference might certainly be recommended.

### 3. — THE PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW

The reports of the Committee of Experts for the Progressive Codification of International Law were submitted to the Council on June 13th by the Polish representative, M. Zaleski, who described the nature of the initiative taken by the Assembly in 1924 — when the Committee was set up — and the character of the work entrusted to the Committee. He also proposed certain measures calculated to give effect to the Assembly resolution of 1924.

“ In adopting its resolution of September, 22nd, 1924”, M. Zaleski said, “the Assembly desired to make a contribution towards meeting a demand, which is widely spread, for the progressive development and consolidation of written law to govern the relations between States. This demand commonly expresses itself as one for the “codification of international law”, and homage to this mode of expression is rendered by the title which has been given to the League’s Committee; but the expression is not a strictly accurate one, and it is liable to cause misconceptions. The actual terms of the Assembly’s resolution furnish no justification for thinking that that body considered that any single initiative, or the work of any single body of experts, could be expected to result in the formulation of a corpus of written law governing the more important relations between the members of the international family.

“On the contrary, the resolution recognises that the establishment of positive rules of law in international relations must be a gradual process, contributed to from every side as the need is felt and the possibility of action presents itself.

“The resolution calls attention in its preamble to a fact which is too often ignored in this connection, namely the immense contribution which the League has made, and is continuing to make, towards the end in view through its technical organisations and technical conferences, and which in the field of labour legislation is made by the International Labour Organisation. The establishment of the League and the Labour Organisation has in fact created a new and powerful machinery which, in the words of the Assembly’s resolution, renders enormous services towards rapidly meeting the legislative needs of international relations.”

In this connection M. Zaleski made a reference to the work of the international unions, which had already resulted in the regulation of a large number of subjects of practical international interest (communications, literary, artistic and industrial property, public health and so forth).

He added that the more fundamental general questions of international law, which underlay the graver international disputes, questions of the rules and the procedure which should be applied to solve conflicts between the vital activities and interests of States, were constantly under consideration and, he hoped, were conti-

nually being brought nearer final solution, under the provisions of the Covenant, by the political work of the League both in its treatment of actual disputes and its discussions of such questions as pacific settlement of disputes and disarmament, and last but not least by the work of the Permanent Court of International Justice.

M. Zaleski then drew attention to the importance of the initiatives taken by certain Governments (the Netherlands, Belgium, Switzerland, France and Italy) which were traditionally interested in some particular branch of international law. He also mentioned the interest so long displayed by the nations of the American continent in the development of common principles to regulate their mutual relations. A tribute was paid to the work of certain international scientific organisations.

The Assembly, he said, had not proposed forthwith to secure the regulation of international relations in general by fixed and written rules, i.e., the immediate codification of international law. In reality, the Assembly took the much more modest decision to ash a Committee of Experts to advise as to whether there were any questions of international law, not forming the object of existing initiatives, in regard to which the conclusion of general agreements could be considered to be immediately desirable and realisable.

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In its reports the Committee of Experts states that, among the subjects studied, seven are, in certain of their aspects, ripe for regulation by international agreement. These seven subjects may be divided into two groups. The first comprises five important matters which, according to its general report on procedure, the Committee considers might be the subject of an international conference or conferences after necessary additional preparatory work has been performed — namely, nationality, territorial waters, diplomatic privileges and immunities, the responsibility of States for damage done in their territories to the person or property of foreigners, piracy.

The rapporteur proposed that the Council should refer to the Assembly, as matters for its decision, the questions of the convocation of conferences and the methods of preparing their work. Both the rapporteur and Council were in favour of holding a single conference to deal with as many subjects as possible. M. Zaleski was nevertheless of the opinion that it might be possible not to include in the agenda the questions of piracy and diplomatic privileges and immunities, and thus to limit the scope of such a conference.

Regarding the method of convening the conference and arranging for the preparatory work, M. Zaleski thought there were two courses. The conference would be convened either by the Council, under the auspices and at the expense of the League, or by a Government possessing a traditional interest in the advancement of international law and the special experience necessary for the task, and desiring to act in this respect as the Mandatory of the League.

The arrangements for the preparatory work would depend largely upon the course chosen for the convocation of the conference. The Rapporteur considered that the first stage, whether the work was undertaken by the League or by a Government, would be to request the Governments invited to attend the Conference to submit full statements of what, in their opinion, was the existing international law and practice on each of the points to be dealt with.

The second group of subjects in regard to which action is recommended by the Committee of Experts comprises two subjects for which it recommends a special procedure, namely, the procedure of international conferences and the procedure for the conclusion and drafting of treaties and the exploitation of the products of the sea. The Rapporteur considered that the Secretary-General should be asked to examine the first of these subjects and report again to the Council as to the possibility and desirability of preparing a memorandum upon it which might possibly be submitted to criticism by international organisations and Governments having special



experience in the matter; the other subject, products of the sea, might be referred for a report to the Economic Committee of the League.

The Rapporteur's statement approved the action of the Committee of Experts in deciding not to proceed further with two subjects which the Netherlands Government had placed upon the agenda of the Private International Law Conferences at The Hague.

With regard to the future work of the Committee, M. Zaleski expressed his conviction that the Assembly — with which the decision rests — would wish the Committee to hold the session contemplated for 1928 in order to complete the work already in hand. The Assembly will also be called upon to decide whether the Committee shall make further enquiries.

The Netherlands representative, M. Beelaerts van Blokland, thanked M. Zaleski for his reference to the part played by the Netherlands Government in the development of international law. His Government considered that the convening of a conference by a particular Government might have certain advantages. If the Assembly shared this view, the Netherlands Government, which was anxious to do all in its power to further the Assembly's desires, would be happy to comply with any request to this effect.

The Italian representative, M. Scialoja, was of opinion that Governments might be more ready to accept a proposal to hold a conference which came not from the Council but from the Netherlands Government.

The Council decided to transmit to the Assembly the reports of the Committee of Experts and M. Zaleski's report, together with the minutes of the discussion in the Council, and to place the consideration of the Reports of the Committee and of the Rapporteur, M. Zaleski, upon the agenda of the Assembly.

## V. — Technical Organisations.

### 1. — THE HEALTH ORGANISATION

#### a) *The Montevideo Conference on Infant Mortality.*

The President of the Council on June 15th read to his colleagues two telegrams in connection with the Montevideo Conference on Infant Mortality — one from the experts taking part in the Conference, the other from the Foreign Minister of Uruguay — thanking the League for its initiative in convening the Conference.

The Conference was attended by experts from six Latin-American countries, namely, the Argentine Republic (Dr. Araoz Alfaro), Bolivia (Dr. Velasco Blanco), Brazil (Dr. Barros Carreto), Chile (Dr. Calvo Mac Kenna), Paraguay (Dr. Gubetich) and Uruguay (Dr. Morquito). The League Health Organisation was represented by Professor Madsen (Denmark), President of the Health Committee, and by the League Medical Director, Dr. Rajchmann.

Sir Austen Chamberlain said that this Conference — the first League meeting on Latin-American soil — was an event of considerable importance. It was an outward and visible sign of the universality of the League and of the fact that, though its seat was on the continent of Europe and the great majority of its meetings were inevitably held in that continent, its Members were none the less anxious to understand, and, where possible, to help in solving the problems which the more distant of them had to face. He trusted that the meeting at Montevideo might be the first of many such meetings, which could not but contribute to the better understanding of the special interests and points of view of those Members of the League who were, geographically speaking, far removed from its centre.

The Chilian representative, M. Villegas, speaking on behalf of the Latin-American countries, thanked the President, saying that the Conference was a proof of the interest that American countries had always taken in the work of the League.

The Council, on the proposal of the British representative, instructed the Secretary-General to thank the senders of the telegrams, to congratulate the members of the Conference on the successful termination of their work, and to convey to the Uruguayan Government its thanks for its assistance and hospitality.

b) *Report of the Health Committee.*

The report of the Health Committee on its tenth session was examined by the Council on June 13th. On the proposal of Viscount Ishii (Japan), it approved the arrangement (1) recently concluded between the Permanent Committee of the *Office international d'hygiène publique* and the League Health Committee, in regard to the utilisation of the Epidemiological Intelligence Service for the purpose of the International Sanitary Convention of 1926 and the adoption of a common method of work.

2. — THE ECONOMIC AND FINANCIAL ORGANISATION

a) *The International Economic Conference.*

A report on the International Economic Conference was submitted to the Council on June 16th by the German representative.

Dr. Stresemann recalled that the task of the Conference had been to set forth the nature of the difficulties and evils of the existing economic situation, and to point out the way in which they could be removed or mitigated by international cooperation. It had enabled a large number of specially qualified experts from all countries to condense in unanimous resolutions the results both of their studies and of their practical experience, indicating at the same time the different paths which might lead to an improvement of prevailing conditions. The Conference had bequeathed the League numerous and varied tasks requiring continuous, methodical and expert study. The Council would, therefore, have to consider the advisability of modifying or supplementing the League's Economic Organisation, in order to adapt it to its new tasks.

On Dr. Stresemann's proposal the Council thanked the President and members of the Conference and expressed its conviction that the Conference had fully carried out its task of enunciating the principles and recommendations best fitted to contribute to an improvement of the economic situation of the world, and in particular that of Europe.

It accordingly commended the report and recommendations of the Conference to the favourable consideration of all Governments.

It reserved for examination at its next session the changes that might prove desirable in the League's Economic Organisation and invited the Economic Committee to begin at an early date a preparatory study of the resolutions of the Conference concerning Customs tariffs and, more particularly, the unification of tariff nomenclature.

The Members of the Council then made individual declarations regarding the work of the Conference.

The Netherlands representative said that public opinion in his country had noted with satisfaction that the economic disarmament referred to in the resolution of the Conference constituted a further stage towards the consolidation of good relations between the peoples. He added that his Government would proceed to a thorough study of the recommendations and of the measures to ensure their execution.

(1) See *Monthly Summary*, Vol. VII, p. 42.

The Italian representative noted that the Conference had reached decisions which it had been possible for the Members of the Conference generally to accept, and which therefore might be usefully applied in international practice in the near future. He thought that the Council would be unanimous in expressing its gratitude to the originator of the Conference, M. Loucheur. He was of opinion that, if the Council desired to achieve results which were really useful and practical, the fact must not be lost sight of that the Economic Organisation must be fundamentally an organisation of States to which might be added representatives of the most important economic organisations of the world.

The Belgian representative noted that the representatives of the great Powers had most effectively participated in the preparation and drafting of the report of the Conference. He thought that the culminating point of the Conference had been the moment at which it declared that the time had come to put an end to the increase of Customs tariffs and to move in the opposite direction. He informed the Council that the Belgian Government had taken steps to lay the resolutions before Parliament, and would do all in its power to give them effect. To conclude, he stated that the recommendations were a valuable pledge for the consolidation and stabilisation of peace in Europe.

The Czechoslovak representative considered that it was one of the great merits of the Conference to have thrown impartial light on the origins, causes and nature of the existing economic problems. His Government adhered fully to the resolutions and intended to develop its policy in conformity with the principles which they embodied.

The German representative said that this Government gave its unqualified approval to the decisions of the Conference, considering that they provided a practical means of ensuring the economic restoration of Europe. He emphasised the necessity for prompt measures on the part of the organs of the League with a view to giving effect to those recommendations of the Conference which lent themselves to immediate international discussion.

The Rumanian representative associated himself with the tribute paid to M. Loucheur and the President of the Conference, M. Theunis. He emphasised the importance of the recommendations concerning agriculture.

The Japanese representative said that the Conference had achieved results surpassing all expectations. In his opinion its recommendations constituted the economic code of the moment. The work initiated was of a continuous character and could only attain real value when carried out by the majority of countries.

The Polish representative stated that the results of the Conference constituted an undeniable success for the League. He drew attention to the loyal and sincere cooperation of the working-classes in the Conference and to the importance of the recommendations concerning agriculture. Public opinion, he said, had immediately appreciated the close relations existing between economic and general peace.

The Chilean representative drew attention to the part played in the Conference by the Latin-American countries. The Conference, which had been a conspicuous success, had, he thought, shewn the effective assistance which Latin-American countries were able to lend in the work of economic cooperation and in the consolidation of peace by means of a better understanding of the needs of the different countries and a better distribution of raw materials.

The British representative associated himself with the tribute paid to the French Government, to M. Loucheur, to the Conference and its President. His Government, he said, had been favourably impressed by a first reading of the conclusions of the Conference. He proposed nevertheless that the report should merely be commended to the favourable consideration of all Governments, for, in the opinion of his Government, the recommendations required careful study before it would be safe for a country to give them its unqualified assent.

The French representative thanked his colleagues on the Council. He expressed his satisfaction that a report of the Council on the results of a French initiative had

been submitted by the German representative. M. Theunis' masterly direction and the preparatory work had, in his opinion, greatly facilitated the task of the Conference. The assistance of the League organs would be necessary to ensure the execution of the recommendations. He added that the French Government was at that moment giving its most favourable consideration to the conclusions of the Conference.

The rapporteur, Dr. Stresemann, expressed his satisfaction with regard to the statement of his colleagues, adding that the decisions and conclusions of the Conference could only become realities if supported and carried through by the various Governments.

b) *Abolition of import and export prohibitions and restrictions.*

On June 14th, the Council, on the proposal of the German representative, definitely fixed the date of the Diplomatic Conference for the abolition of import and export prohibitions and restrictions at October 17th.

The Council drew the attention of the States invited to the conclusions of the International Economic Conference in regard to the disadvantages of the prohibitions system. It was decided to invite the International Chamber of Commerce to be represented in an advisory capacity.

c) *Resignation of Sir Hubert Llewellyn Smith from the Economic Committee.*

The Council took note with regret of the resignation of Sir Hubert Llewellyn Smith as member of the Economic Committee. After thanking him for the great services he had rendered the League, it appointed as his successor Sir Sidney Chapman, Permanent Secretary of the Board of Trade.

d) *Execution of foreign arbitral awards (1).*

The Council, on June 16th, took note of the text drafted by a committee of jurists to rectify an omission in the Protocol of 1923 on Commercial Arbitration by providing under certain conditions for the enforcement of foreign arbitral awards.

On the proposal of the German representative, the Council decided to place this question on the agenda of the eighth session of the Assembly, so that the Protocol might be opened for signature by all States desirous of acceding thereto.

Governments have already been invited to communicate any observations they may wish to make before the opening of the Assembly.

e) *Report of the Financial Committee.*

The Financial Committee met at Geneva before and during the Council session. Its agenda included consideration of progress in the settlement of Greek and Bulgarian refugees, financial assistance to be given to a State victim of aggression, the use of the balances of the Austrian and Hungarian loans, financial questions concerning the Danzig municipal loan, and the report of the experts on double taxation and tax evasion.

The report of the Committee was approved by the Council on June 17th. It was decided to forward to Governments of all States Members and non-Members of the League the report of the experts on double taxation and tax evasion, to request their opinion on its contents, and to convene in 1928 a general meeting of Government experts to discuss the question.

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(1) See *Monthly Summary*, Vol. VII, No. 4, p. 100

As regards the financial situation of Danzig, the Council authorised financial measures permitting of the prompt execution of necessary works in the port.

The question of the balances of the Austrian and Hungarian loans called for no decision.

The other points discussed by the Committee, namely, the settlement of Greek and Bulgarian refugees and financial assistance for States attacked, are dealt with in special chapters of this number.

#### f) *Settlement of Bulgarian refugees.*

The progress in the settlement of Bulgarian refugees was examined by the Council on June 17th in the presence of the Chairman of the Financial Committee, Dr. Pospisil, M. Sarafoff (Bulgaria) sitting as representative of his Government.

The third report of the League Commissioner at Sofia, M. Charron (French), covers the period from February 15th to May 15th. It contains details of the position of the loan account; the yield of the revenues assigned as security (duties on alcohol and salt, sale of matches) which is of approximately 30,000,000 levas a month, more than double the sum needed for the loan service; and the execution of the Settlement plan.

The distribution of seed has continued, a grant of 338 kilogrammes being made to each family, 1,458 head of cattle, of a value of ten and a half million levas, have been distributed among 1,105 families. A programme for the building of 16,000 homes has begun to be executed.

M. Vandervelde, reporting to the Council, drew especial attention to difficulties of a legal and technical kind encountered by the settlement authorities, and mentioned in M. Charron's report. These difficulties concerned the ownership, delimitation and sanitary situation of the land proposed for settlement in part of which malaria was prevalent.

As regards the third point measures had been taken with a view to the draining of marshes and a thorough investigation had been conducted on the spot by Professor Swellengrebel, of the League Malaria Commission. Stocks of quinine had been constituted and measures taken for the destruction of mosquito larvae in certain districts.

With regard to the question of the tenure and delimitation of the settlement area, the Bulgarian representative gave the Council detailed information and figures as to the amount of land already allotted and the surveying organisation. It was hoped that by the end of the year 900,000 decares — sufficient for the upkeep of 25,000 families — would have been delimited and handed over to the refugees.

M. Sarafoff gave the Council a definite assurance that, whatever happened, the refugees would not be established on marshy land until the drainage and works of improvement had been carried out. The measures proposed by Professor Swellengrebel to cope with malaria had already been put into practice by the Bulgarian Public Health Department.

The Roumanian representative, M. Comnene, having raised the question of the publication of the settlement plan together with lists of the names of the refugees to be settled in the various districts, M. Sarafoff said that such lists were published day by day in the *Official Gazette*.

#### g) *Settlement of Greek refugees.*

The question of the completion of the settlement of Greek refugees in its relation to the financial and banking reform in Greece was discussed at the June meetings of the Financial Committee and the Council.

The Financial Committee, whose meetings were attended by Mr. Eddy, Chairman, and Sir John Hope Simpson, vice-Chairman, of the Greek Refugee Settlement Com-

mission, and by M. Karaymanos, Director of Colonisation in Macedonia, had before it, besides the fourteenth quarterly report of the Commission, detailed information on the Greek banking and budget position. This information had been collected by a delegation from the League Secretariat, headed by M. Avenol, deputy Secretary-General, which had visited Athens, the Greek Government providing all necessary facilities.

In the course of the discussions further information was given by the Greek Foreign Minister, M. Michalakopoulos, the Greek Finance Minister, M. Kaphandaris, and the Assistant Governor of the National Bank, M. Tsouderos, with regard to the measures contemplated with a view to budget equilibrium and the re-organisation of the Bank.

The Greek Government meanwhile addressed to the Council a formal request for its assistance in the conclusion of a loan for the purposes of financial reform, a condition which was the necessary complement to the continuation of the refugee settlement work.

The Financial Committee, after studying these proposals in the light of the information submitted, came to the conclusion that the monetary position was such as to justify immediate measures with a view to the stabilisation of the drachma on a gold exchange basis. It noted with satisfaction that the necessity of revising the functions of the National Bank had been fully recognised.

Subject to satisfactory measures on these points, the Committee thought that definite equilibrium and stabilisation should be practicable in conjunction with a loan of £ 9,000,000, of which £ 3,000,000 would be available for refugees, £ 3,000,000 for budget arrears, and £ 3,000,000 for strengthening the Bank.

The Council, including M. Kaphandaris (Greece), discussed the report of the Committee and the request of the Greek Government on June 17th. On the proposal of the rapporteur, M. Paul-Boncour (France), it approved and adopted the report, and, subject to the conditions stated, agreed in principle with the proposals of the Greek Government. It authorised the Financial Committee to continue to co-operate with the Greek Government, with a view to the Council's being able to approve at its next session a detailed scheme for the issue of a comprehensive loan under the auspices of the League.

M. Kaphandaris, thanking the Council and the Financial Committee, said that the Greek Government was firmly resolved energetically and steadfastly to continue, within the lines already laid down, the work of establishing complete equilibrium between revenue and expenditure in the State budget, and the economic revival of the country.

The moral support which the League was granting Greece for the second time, with an interest and solicitude that appealed warmly to the Greek people, strengthened, if it were possible, the bonds uniting Greece to the League, among whose founders his country was happy to be reckoned.

#### *h) The question of counterfeit currency.*

The Mixed Committee appointed by the Council to study means of suppressing the offence of counterfeiting currency and to prepare a draft convention for this purpose met at Geneva from June 23rd to June 26th.

There were present :

*The Chairman of the Financial Committee, Dr. Pospisil, Governor of the Czechoslovak Bank; Assistant, Dr. Jaroslav Kalab, Professor at Brno University, expert in international law.*

*Delegates of the Banks of Issue. — M. Collard-Hostingue, Inspector-General of the Banque de France; Dr. Wilhelm Vocke of the German Reichsbank. M. Schnyder von Wartensee, Vice-Chairman of the Board of Directors of the Swiss National Bank*

(Assistant : M. Schwab, Secretary-General of the Swiss National Bank); M. Juan Carlos Cruz, Legal Adviser to the Argentine National Bank, Member of the Supreme Council of the University of Buenos Ayres, Professor of Commercial Law. •

*Experts in International Law.* — M. Servais, Attorney-General Court of Appeal Brussels; Sir John Fisher Williams, Legal Adviser to the Reparation Commission; Commander Ugo Alvisi, Adviser to the Roman Court of Appeal; M. V. Pella, Professor of Law at Jassy University and at the International Law Academy at The Hague.

*Representatives of Prosecution Authorities.* — M. J. Schober, President of the Vienne Police, former Federal Chancellor (Assistant : M. H. Adler, assistant-adviser to the International Police Commission, editor of the « Revue internationale des marques caractéristiques des billets de banque et autres valeurs authentiques et de leurs falsifications »; Baron van der Feltz, Attorney-General (Amsterdam Court of Appeal), Chief of the Dutch Central Organisation for the repression of forgery (Assistant : M. K. H. Brackhoff, Chief Police Inspector at Amsterdam, State Police Commissioner); Mr. Moran, Chief of the Secret Service of the Treasury Department, Washington.

The Committee elected as chairman M. Pospisil and as Vice-Chairman M. Schober. It appointed two sub-committees, one composed of bank delegates and representatives of prosecution authorities, the other of jurists.

On the basis of preliminary drafts prepared by these sub-committees, the Committee drew up a provisional draft convention embodying in its main lines the principles set forth by the Financial Committee in its report to the Council last December.

The draft convention laid down *inter alia* that the list of recognised criminal offences punishable with adequate penalties should include all fraudulent manufacture or counterfeit of currency, no matter what means were employed for this purpose, and all fraudulent uttering of currency, including the act of bringing into the country or of being in possession of falsified or counterfeited currency with a view to uttering it, the word currency being understood to mean paper money or metallic money which is legal tender.

It was also provided that in each State investigations should be organised so far as national legislation permitted by a central police office which would receive all information of a nature to facilitate the investigation, prevention and punishment of counterfeiting.

The central offices of the different States would correspond directly with each other.

In order to ensure improve and develop direct international co-operation in the prevention and repression of counterfeiting, the representatives of the central offices of the High Contracting Parties would hold periodical conferences with the participation of representatives of the banks of issue and of the central authorities concerned. The organisation and management of a central international information office might form the subject of one of these conferences.

The draft convention further provided that any disputes which might arise between the High Contracting Parties regarding the interpretation, or application of the Convention should, if they could not be settled by direct negotiation be dealt with by judicial or arbitral procedure.

• The Committee will meet again on October 10th to draw up a final text for submission to the Council.

### 3. — COMMUNICATIONS AND TRANSIT

#### a) *Third General Conference.*

On June 14th, the Council, on the report of the Colombian representative and on the proposal of the President of the Third General Transit Conference, instructed

the Secretary-General to invite to the Conference the Governments of those non-Member States invited in 1923 to the Second General Conference (Ecuador, the United States, the Union of the Soviet Socialist Republics and Turkey) as well as the Governments of Egypt, the Sudan and Costa Rica.

It also decided to invite in an advisory capacity international organisations such as the International Chamber of Commerce, the International Railway Union, River Commissions, etc..., which, owing to their habitual association with the work of the Committee for Communications and Transit, are interested in the proceedings of the Conference. The Chairman of the Committee was asked to draw up a list.

#### b) *Meetings of Sub-Committees.*

Two sub-committees of the Transit Organisation held meetings towards the end of June.

The Sub-Committee on Combined Transport met on June 24th at Dresden in order to pursue its study of the development and regulation of combined traffic between railways and enterprises other than railways.

A sub-committee of the Committee on Buoyage and Lighting of Coasts met at Stockholm on June 27th to test the so-called cardinal system of buoyage, in regard to which provisional regulations had been drawn up by the Committee in August 1926. The system has since been the object of experiments in German and Swedish waters.

Accounts of these meetings will be given in the next number.

#### 4. — INTELLECTUAL COOPERATION

The International Labour Office having notified the League of the constitution of an Intellectual Workers Advisory Committee whose work would have some points of contact with that of the Committee on Intellectual Cooperation, the Council considered this question on June 14th on the basis of a report presented by the French representative, M. Briand.

The Governing Body of the International Labour Office had so far merely decided on the principle. It had laid down that the new Committee should include three members chosen from the Governing Body of the International Labour Office and two members of the Committee on Intellectual Cooperation, provided that the Council concurred.

In his report, M. Briand alluded to the economic and technical difficulties encountered by intellectual workers, particularly since the war and expressed his conviction that the initiative taken to remove these difficulties would be gladly welcomed. He thought that the Council would agree with him in expressing its satisfaction that the Committee on Intellectual Cooperation should be associated with this attempt to improve the materiel and economic position of intellectual workers.

On M. Briand's proposal, the Council requested the Committee on Intellectual Cooperation to place this question on the Agenda of its forthcoming session. The Committee will consider what lines of demarcation should be established between its own programme and that of the new organisation whose duties and powers must also be laid down.

The Council authorised the Committee, should it think fit, to appoint two of its members to take part in the work of the new Advisory Committee set up by the International Labour Office.

*International Exchange of Official Publications.* — On the report of M. Paul-Boncour (France), the Council noted the results of the enquiry undertaken by the Belgian Government in order to ascertain whether the Governments signatory or not



signatory to the Brussels Conventions of March 16, 1886 on the International Exchange of Publications would be disposed to adhere a system of partial exchanges and to amend the Convention to this effect.

The Council thanked the Belgian Government for its good offices and decided to communicate the results of the enquiry to the Committee on Intellectual Co-operation, requesting it to examine the situation resulting from the enquiry with a view to the possible submission of further proposals.

## VI. — Administrative Questions.

### 1. — DANZIG

Various questions concerning the Free City of Danzig were considered by the Council on June 13th and 17th, namely, the manufacture of aircraft in the Territory of the Free City, the appointment of a President for the Arbitral Tribunals provided for in the Danzig-Polish Agreement of March 31st, 1927, with reference to the Danzig Tobacco Monopoly, the storage and transport of war material in the territory of the Free City and the utilisation of the Westerplatte peninsula. The President of the Senate of the Free City, Dr. Sahm, and the League High Commissioner, Dr. van Hamel, were present at the meeting.

As regards the first question, the Danzig Senate had, by the intermediary of the High Commissioner, requested that the restriction placed by the Council in 1921 and 1922 on the manufacture of aircraft might be removed. The Council, on the report of M. Villegas (Chile), decided to seek the opinion of the Air Sub-Commission of the Permanent Advisory Commission for Military, Naval and Air Questions.

The second question — the appointment of a President for certain Polish-Danzig arbitral tribunals — arose out of the application of the Polish-Danzig Agreement on the Tobacco Monopoly, the conclusion of which was one of the preliminary conditions of the forthcoming Municipal Loan. This Agreement provided for the submission of certain questions to arbitral tribunals whose president should be appointed by the League Secretariat. The Polish and Danzig Governments having requested the Secretariat to inform them whether it was prepared, if necessary, to proceed to these appointments, the Council, on the report of the Chilean representative, instructed the Secretary-General to reply in the affirmative.

With regard to the transport and temporary storage in the Free City of war material consigned to countries other than Poland, the Council, noting the opinion of the Permanent Advisory Commission for Military, Naval and Air Questions, authorised the High Commissioner to deal, on its behalf, with requests submitted to him with a view to obtaining the Council's consent to such operations, and expressed its desire to be informed of the results of the applications <sup>(1)</sup>.

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The Council dealt with the question of the utilisation of the Westerplatte peninsula on June 17th at the request of the High Commissioner. The Polish Government was represented by M. Strasburger, the Polish diplomatic representative at Danzig.

In March, 1924, the Council decided that the Westerplatte Peninsula in the territory of the Free City of Danzig should be placed at the disposal of the Polish Government for the purpose of unloading, storing and forwarding to Poland war material and explosives in transit.

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(1) See *Monthly Summary*, Vol. VII, No. 4, p. 103.

The necessary works having been terminated, the Governments of Danzig and Poland engaged negotiations under the Chairmanship of the High Commissioner, in order to settle certain technical points, such as the right of admittance of Danzig authorities to the Westerplatte area, the control and supervision of the observance of the safety regulations in this area, the manner in which the Customs clearance is to be regulated, regulations applicable to consignments of war material and explosives leaving the Westerplatte area, the definition of « war material » which may be transported via the Westerplatte.

The negotiations having failed, the High Commissioner, in April 1927, issued certain regulations to which both the Danzig and Polish Governments raised objections. He then asked the Council in a letter dated May 30th, 1927, to give a final decision on the subject.

On June 17th, the Rapporteur, M. Villegas (Chile) said that he had not had sufficient time to study the question. In these circumstances — and in view of the fact that the High Commissioner had made a provisional arrangement which could be applied until the Council gave its decision — he proposed that it should be adjourned.

In the course of the ensuing discussion, the President of the Danzig Senate, Dr. Sahn, drew attention to the fact that the provisional enforcement of new regulations pending the Council's decision might prove a danger to the Free City. He asked that the former system of control and supervision should be maintained during the period in question.

The Polish Representative, M. Strasburger, recalled that this question had several times been dealt with by the Council. It was desirable that the discussions should come to an end. He saw no objection to the application of the provisional regulations drawn up by the High Commissioner, whereas the procedure suggested by Dr. Sahn appeared to him to be dangerous.

The High Commissioner, Dr. Van Hamel, observed that the provisional regime which he had established was in conformity with the previous decisions taken by the Council, on expert advice, with regard to the utilisation of the Westerplatte. Safety regulations had been drawn up by a commission; the equipment was said to be entirely up-to-date; the Polish Government had accepted complete responsibility; there was no question of permanent storage. In short, Danzig would not be in a less favourable position than other ports where explosives were warehoused.

The German representative, Dr. Stresemann, said that if the Council agreed to the proposal of the Rapporteur to postpone its examination of the question, it should be clearly understood that the provisional regime introduced by the High Commissioner should not prejudice the final decision of the Council.

The Rapporteur, M. Villegas (Chile) and the President, Sir Austen Chamberlain, agreed that the adjournment of the question and the application of a provisional regime must not in any way prejudice the rights of the parties to bring all the facts of the case before the Council when it decided to consider the substance of the question, and did not prejudice the rights of the Council to settle this question as it might think fit.

The Council postponed the discussion of the question to its next session

## 2. — THE SAAR

Sir Ernest Wilton, former British Minister in Latvia and Estonia, has been appointed Chairman and Member of the Saar Governing Commission until March 31, 1928.

This appointment was made on June 8th by the Acting President of the Council, Dr. Stresemann (Germany), on the proposal of the Rapporteur on Saar questions, M. Scialoja (Italy) and after consulting all the other Members of the Council, in conformity with the procedure adopted by the Council on the occasion of the resignation of Mr. G. W. Stephens.

## VII. — Political Questions.

### 1. — MEMEL

On May 24th the German Government, in virtue of Article 17 of the Memel Convention, drew the attention of the Council to a petition signed by leading inhabitants of Memel, alleging infringements by Lithuania of the autonomy of the Memel territory <sup>(1)</sup>. The German Government requested that this matter be included in the agenda of the Council.

The Lithuanian Government asked that the question be ajourned. Before the matter came before, the Council, negotiations took place between the representatives of the Governments concerned, M. Valdemaras and Dr. Stresemann. The results were communicated to the Council on June 15th.

The Lithuanian Prime Minister, Professor Valdemaras, recalled that in conformity with the recommendations of a Committee of Jurists the Council in September 1926 had, as the result of the suggestions of the Lithuanian Government, revised the procedure to be followed in bringing to its notice alleged infractions of the Statute of the Territory.

This decision, he said, imposed on the Lithuanian Government the strict duty not to fail in the fulfilment of any of its obligations. The Lithuanian Government desired to declare that it was in no way its intention to leave the Territory of Memel without popular representation. It was fully conscious of its duty and of its responsibilities. The Government would, in consequence, take the appropriate measures for holding elections to the Diet at latest by the month of September 1927.

Further he was glad to be able to state that the main difficulty which had delayed the holding of elections had been happily overcome. There had been disputes, more especially as to who was included in the electorate of the Memel Territory. This question had now been settled. The electorate, as far as the forthcoming elections were concerned, would be composed of Lithuanian nationals, who, in conformity with the provisions of Article 7 and the following articles of the Civil Code (BGB), had established themselves in the Territory of Memel. It was obvious that the electorate might be modified for future elections by a law for which provision had been made in Article 8 of the Memel Statute.

So far as the autonomy of the Memel Territory as defined in its charter was concerned, the Lithuanian Government, was, he said, firmly resolved to do all in its power to make it operative and allow it to develop on democratic lines as regards the electorate, the position of the Chamber and the formation of the Directory. The Lithuanian Government hoped to carry out this work in close co-operation with the Chamber of Representatives and with the Directory, which enjoyed the confidence of the Chamber and was responsible to it.

The German representative said that he did not wish to reply in detail to M. Valdemaras' remarks on the Council resolution of September. In consideration of the statement M. Valdemaras had just made he would not insist on further discussion of the question at the June session. He hoped that the measures which the Lithuanian Government had announced would bring about as soon as possible a situation in conformity with the Memel Statute.

Sir Austen Chamberlain, on behalf of the Council, noted with satisfaction the declaration of the Lithuanian representative, which, he said, had spared the Council the necessity of going into this question. He expressed the hope that the situation in Memel might soon become normal and that the Council would never again have to deal with the question.

The question was withdrawn from the agenda.

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(1) Article 17 reads : " The High Contracting Parties declare that any Member of the Council of the League of Nations shall be entitled to draw the attention of the Council to any infraction of the present Convention. "

**2. — COMMUNICATIONS FROM THE ALBANIAN GOVERNMENT AND THE GOVERNMENT OF THE KINGDOM OF THE SERBS, CROATS AND SLOVENES**

Communications concerning the circumstances that led to the withdrawal of their diplomatic representatives by the Kingdom of the Serbs, Croats and Slovenes and Albania were received by the Secretary-General from the Albanian and Serb-Croat-Slovene Governments. They were dated June 6th and June 12th respectively.

The Albanian communication terminated as follows :

“In informing you of the foregoing the Albanian Government is firmly convinced that it is discharging its task of conciliation and moderation.”

The Serbian note concluding :

“In communicating this account of the facts to the Secretary-General the Royal Government requests him to be so good as to bring it to the notice of the Members of the Council of the League. It considers that Article 12 of the Covenant does not apply to this case, and for this reason does not request the Council to examine it, as this case taken by itself does not warrant the application of Article 12 of the Covenant. Nevertheless, if the Council considers that this incident, taken in conjunction with, and viewed in relation to, other circumstances, might be serious, the Royal Government holds itself at the disposal of the Council for the consideration and study of the problem as a whole, including this particular incident.”

At the request of the Governments concerned, these notes have been forwarded to the Members of the Council for information.

**3. — REQUEST OF THE ROUMANIAN AND HUNGARIAN GOVERNMENTS (1)**

On June 16th Sir Austen Chamberlain informed the Council that the Committee of Three (the British, Chilean and Japanese representatives) set up last March to study questions in connection with the Roumanian Government's communication to the Mixed Roumanian and Hungarian Arbitral Tribunal, had met twice, once in London and once at Geneva, and had had conversations with the Hungarian and Roumanian representatives.

Following these discussions, the Committee had requested the Hungarian and Roumanian representatives to ask their Governments to make a further examination of the question.

On the proposal of the British representative, the Council — which included the Hungarian representative, M. Gajzago — adjourned this question to its September session.

**4. — LIQUIDATION OF THE PROPERTY OF GREEK AND BULGARIAN EMIGRANTS**

On June 16th, the Council, including representatives of Bulgaria and Greece, — M. Mikoff and M. Dendramis, — noted the progress made since its last session in the liquidation of emigrant property under the Convention of Voluntary Emigration between Bulgaria and Greece. Sir Austen Chamberlain reported that, according to recent information, the total number of estates liquidated was now 7,670 as against 3,000 in March. The question of security for the bonds given to emigrants and the amortisation of these bonds was under discussion in the Mixed Greco-Bulgarian Emigration Commission.

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(1) See *Monthly Summary*, Vol. VII, No. 3, p. 84.

On this occasion, the Council reaffirmed its interest in the settlement of this question, which it considered as equally important to Greece and Bulgaria. It requested the two Governments and the mixed Commission to furnish reports on the result of their negotiations.

#### 5. — SECOND REPORT OF THE STRAITS COMMISSION

The second report of the Straits Commission, covering the year 1926, was considered by the Council on June 16th. Under Article 15 of the Convention relating to the Straits Regime (Lausanne, July 24th, 1923) this Commission performs its duties under the auspices of the League.

The Commission drew the Council's attention to a series of questions which had arisen regarding the interpretation of certain articles of the Straits Convention, the definition of the regulations applying to the various types of vessels passing through the Straits, the financial situation of the life-saving service, certain police and customs hindrances, etc.

The Council, on the proposal of the Chinese representative, M. Chao-Hsin-Chu, decided, as a first step, simply to communicate the report to the States signatories of the Convention. Thus, if one of these Powers so desired, it could request the Council to consider the substance of any of the Commission's suggestions. The report will also be communicated for information to the States Members of the League and to any technical League organisations to which the information might be of interest.

As a standing rule the Secretary-General will forward the future reports, as soon as they are received, to the Members of the Council and the States signatories of the Convention.

### VIII. — Social and Humanitarian Questions.

#### 1. — SETTLEMENT OF ARMENIAN REFUGEES

The question of the settlement of Armenian refugees was discussed by the Council on June 16th and 17th, in the presence of Dr. Nansen, the League High Commissioner for Refugees.

The rapporteur, M. Villegas (Chile), briefly recalled the substance of the discussions in the Financial Committee, the Council and the Assembly in 1926 (1) and the circumstances in which Dr. Nansen had undertaken to make enquiries as to the possibility of obtaining funds from private sources to meet the initial expenses of the Settlement Scheme.

Dr. Nansen, after outlining the previous phases of the question, said that there were approximately 250,000 Armenian refugees in Greece, Bulgaria, Constantinople and Syria, many of whom were in a miserable condition. He had suggested that, if the Armenian Government could raise the necessary funds for the irrigation of the area contemplated for settlement, he would endeavour to obtain the money for the transport and establishment of about 30,000 refugees. This would involve expenditure of about £300,000, one-third of which had been promised by Armenians in Europe and America. The question now arose whether it would be possible to raise the rest of the money. The Armenian Government had not so far given a final reply.

The German representative, Dr. Stresemann, said that, if Dr. Nansen succeeded in establishing, by contributions or other measures, the necessary conditions which

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(1) See *Monthly Summary*, Vol. VI, No. 9, p. 223.

would constitute a real guarantee for the settlement in Armenia, he would be glad to ask his Government in what way and to what extent it could effectively contribute to the final settlement of this question.

The President, Sir Austen Chamberlain, was of opinion that, to enable the Governments represented on the Council to take a decision, some assurance of the practicability of the scheme, and some knowledge of its character and details were necessary.

The Council decided that the minutes of its discussions and any further documents which Dr. Nansen might think it desirable to circulate should be sent to all Governments; that its members should invite their Governments to examine with sympathy Dr. Nansen's proposals, subject to satisfactory undertakings by the Armenian Government as to the irrigation of the settlement area; and that the question should be placed on the agenda of the next session.

## 2. — OPIUM

*Question of the Budget of the Central Board.* — The question of the budget of the Permanent Central Board on drug questions provided for in the Final Act of the Second Opium Conference <sup>(1)</sup> was discussed by the Council on June 13th.

The appointment of this Board is dependent upon the coming into force of the Opium Convention, which will take place after ratification by ten Powers, including seven States represented on the Council, two of which must be permanent members. The Convention has so far been ratified by twelve Powers, including five States represented on the Council, two of which are permanent members.

The Conference having requested the Council to include in the budget of the League Secretariat the expenses of the Board, the Council decided, on the report of the Rumanian representative, M. Titulesco, to refer the matter to the Assembly.

*Proposed accession of Sweden to the Convention.* — On the proposal of M. Zaleski (Poland), the Council invited the Advisory Committee on Traffic in Opium to examine at its next session certain questions connected with the proposed accession of Sweden to the Opium Convention (1925) subject to reservation.

This procedure was suggested by certain of the signatories of the Convention to whom the proposal of the Swedish Government had been communicated. The latter having stated that it had no objection to this procedure, the Council invited it to send a representative to explain its views to the Advisory Committee.

## 3. — PROTECTION AND WELFARE OF CHILDREN AND YOUNG PEOPLE

### a) *Traffic in Women and Children.*

The report of the Traffic in Women and Children Committee on the work of its recent session <sup>(2)</sup> was considered and approved by the Council on June 16th.

As regards the report of the Special Body of Experts in traffic in women, the second part of which had been forwarded to Governments for their observations, the Council decided to invite Governments to send in their comments by the end of September at the latest. These communications would be considered at a meeting of the Body of Experts to take place on or about November 15th when such modifications as were deemed necessary might be made.

Thus amended the second part of the report would be considered by the Council at the first session following the meeting of the Experts and would be published immediately after that session.

(1) See *Monthly Summary*, Vol. V, No. 2, p. 55.

(2) See *Monthly Summary*, Vol. VII, No. 5, p. 140.

b) *Child Welfare.*

The Council considered the report of the Child Welfare Committee on the work of its third session. On the proposal of the British representative, it requested the Secretary-General to ask Governments to furnish information on the subject of the cinematograph in relation to child welfare, to communicate to them the questionnaire on the protection of illegitimate children so that they could give the information desired if they saw fit, and to forward for their consideration the Committee's resolution respecting the age of consent.

4. — SLAVERY

On the report of the British representative, the Council decided on June 14th to forward to the Assembly a memorandum by the Secretary-General to the effect that the Slavery Convention concluded in 1926 at Geneva had up to the present been signed by thirty-seven States (Albania, Australia, Austria, Belgium, British Empire, Bulgaria, Canada, China, Colombia, Cuba, Czechoslovakia, Denmark, Estonia, Ethiopia, Finland, France, Germany, Greece, Hungary, India, Italy, Latvia, Liberia, Lithuania, Netherlands, New Zealand, Norway, Panama, Persia, Poland, Portugal, Roumania, Kingdom of the Serbs, Croats and Slovenes, Spain, Sweden, Union of South Africa and Uruguay).

The Council authorised the Secretary-General to communicate to the Assembly a list of such laws and regulations as might be forwarded to him under the Convention, as well as any supplementary information furnished by the different Governments in regard to the measures taken to secure the progressive abolition of slavery and conditions analogous thereto.

IX. — Miscellaneous Questions.

1. — CONFERENCE OF PRESS EXPERTS

On June 17th the Belgian representative, M. Vandervelde, made a statement to the Council regarding the sage reached in the preparatory work for the Conference of Press Experts. He mentioned that it had appeared desirable to invite the Governments of States Members of the League to delegate the directors of their press bureaux to attend the Conference in an advisory capacity.

He added that, if this suggestion were acted upon, Governments would be fully informed of the wishes of the Press as stated by the Conference; this measure might further have the effect of facilitating the execution of the resolutions adopted by the Conference, in regard to which the Council would have to take a decision.

2. — PRESENT CONDITIONS OF WORK IN THE LEAGUE SECRETARIAT

At its December meeting, the Council, on the proposal of Sir Austen Chamberlain, requested the Secretary-General to submit a report on the existing conditions of work in the Secretariat.

On June 14th, the Council took note of a report in which the Secretary-General stated that " the work of the Secretariat in a material sense had increased continuously from its beginning in 1919 up to the present time. This increase had shown a tendency to operate more rapidly during the last eighteen months than in the earlier periods. "

This growth in the work of the Secretariat is illustrated by a number of tables annexed to the report, bearing on (1) the number of days of meeting of the Council, the Assembly, Conferences, Committees and Sub-Committees (in 1926 there were 93 committee meetings with a total of 557 days of session as compared with 8 meetings and 124 days of session in 1920); (2) the number of documents filed in the Secretariat registry (58,436 in 1926 compared with 5,653 in 1919); (3) the number of postal despatches (258,474 in 1926 compared with 237,586 in 1925); (4) the work of the Duplicating Service (89,348 stencils and 12,348,306 copies in 1926 compared with 55,410 stencils and 7,729,449 copies in 1923). Other figures shew the increase in the work of the various sections, in the number of publications, press communiqués treaties registered, etc.

The staff of the Secretariat, which numbered 183 in 1920, now comprises 467 officials.

The increase of expenditure from 1921 to 1926 was small in proportion to the development of the work, being about 3 % (11,199,437.42 gold francs in 1926 as opposed to 10,851,306.86 gold francs in 1921).

## X. — Forthcoming Events.

- July 16th : Meeting of the Sub-Committee on Arts and Letters, Geneva.  
July 20th : Meeting of the Air Sub-Committee of the Permanent Advisory Commission on Military, Naval and Air Questions, Geneva.  
July 22nd : Plenary meeting of the Committee on Intellectual Cooperation, Geneva.  
August 19th : Session of the Advisory and Technical Committee for Communications and Transit, Geneva.  
August 23rd : Third General Conference on Communications and Transit, Geneva.  
August 24th : Conference of Press Experts, Geneva.  
September 1st : Forty-sixth session of the Council, Geneva.  
September 1st : Meeting of the Financial Committee, Geneva.  
September 5th : Ninth Ordinary Session of the Assembly, Geneva.

## XI. — Publications.

### PUBLICATIONS OF THE INTERNATIONAL HYDROGRAPHIC BUREAU

The International Hydrographic Bureau which was the first international organisation to be placed under the League's direction in virtue of Article 24 of the Covenant, issues three periodical publications at regular intervals, namely :

- (a) Reports of Proceedings of the International Hydrographic Conference;
- (b) Annual Report;
- (c) Hydrographic Review.

As the Statutory Conferences take place every five years, Reports of Proceedings are issued at about that interval. The Statutes provide, however, for Supplementary Conferences, when necessary, and thus Supplementary Reports may be issued at irregular intervals.

The *Annual Reports* are issued early each year and, until 1925, dealt exclusively with administrative matters. The Conference held in 1926 decided that the annual report on the work of the Bureau should be included and this was commenced in the Report for 1926.



The Principal Publication is the *Hydrographic Review*, which is issued twice annually (May and November). It contains from 200 to 300 pages and is intended to be a medium of exchange of information and ideas for all interested in hydrography and allied subjects. Until 1925 the report on the work done and undertaken by the Bureau was included in the November number of the review but, as mentioned above, this is now to be found in the Annual Report.

The subjects dealt with in the Review are numerous and are treated from various points of view, particularly as the authors of articles are of many different nationalities. Special interest attaches to two features, namely, the articles dealing with research and those which follow the development of hydrographic methods, instruments and appliances. Under the head of research come subjects such as the determination of the Range of Visibility of Lights, the discussion of the possibility of adopting an International Datum Plane for Tides and a common datum for Charts, the tabulation of Buoyage Systems and of Coastal and Port Signals and of the various proposals for their standardisation, etc. The articles dealing with developments of methods, etc., include information on surveying methods employed in different countries, instruments and methods used for Sounding by Echo, for repairing and engraving Chart-plates, for Prediction of Tides and for fixing positions by Wireless Telegraphy and by Acoustic methods. Such articles appear in every number of the Review as also does a Bibliographical list of Technical publications together with notices of those recently issued.

The Bureau's publications which are issued at irregular intervals are entitled *Special Publications*. These deal with technical subjects and are mostly reproduced in the number of the Hydrographic Review which is next published.

The I. B. H. has its seat at Monaco.

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SAAR BASIN. — Twenty-eighth periodical report of the Governing Commission (October-1st, 1926-December 31st, 1926). . . . . 6d \$ 0.15

### ECONOMIC AND FINANCE

THE FINANCIAL RECONSTRUCTION OF AUSTRIA. — General survey and principal documents. . . . . 4/- \$ 1.00

SETTLEMENT OF BULGARIAN REFUGEES. — Second Report of the Commissioner of the League of Nations. Period: November 15th, 1926, to February 15th 1927 . . . . . 5d \$ 0.10

THIRTEENTH QUARTERLY REPORT OF THE GREEK REFUGEE SETTLEMENT COMMISSION. . . . . 5d \$ 0.10

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STUDIES OF CHOLERA IN JAPAN, by Rokuro Takano, M. D., Itsuya Ohtsubo, M. D., and Zenjuro Inouye, M. D. . . . . 3/- \$ 0.75

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HEALTH COMMITTEE. — Eighth Session, held at Geneva from Wednesday, October 13th, to Tuesday, October 19th, 1926. . . . . 3/3 \$ 0.80

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# MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

Vol. VII. No. 7.

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Communications concerning the *Monthly Summary* should be addressed to the Information Section, League of Nations, Geneva.

### I. — Summary of the Month.

JULY 1927

With July began a two months' period of preparation for the September meetings of the Assembly and the Council.

The principal meetings were those of the General Conference for the constitution of an International Relief Union, the Permanent Mandates Commission, the Committee on Intellectual Cooperation and an extraordinary session of the Economic Committee.

The Conference for the constitution of an International Union for the relief of populations stricken by disaster sat from July 4th to July 12th. It was attended by representatives of forty-one States and adopted a Convention, Statutes and a Final Act, which have so far been signed by eleven States.

The Permanent Mandates Commission concluded its examination of a certain number of annual reports of the mandatory Powers on territories administered by them, besides considering certain general questions and petitions.

The Committee on Intellectual Cooperation met in plenary session from July 20th to July 27th, when it reviewed the work of sub-committees on university relations, bibliography, intellectual property rights and arts and letters. Sitting as Governing Body of the Institute of Intellectual Cooperation, it examined the work of the Institute during the past year, and traced its future programme of work.

An extraordinary session of the Economic Committee from July 12th to 14th was devoted to arrangements for preparatory work in connection with the recommendations of the Economic Conference on tariffs, commercial treaties and customs nomenclature.

Other questions on which meetings were held in July concerned the manufacture of aircraft in Danzig, the unification of maritime tonnage measurement, and buoyage and lighting of coasts.

## II. — The Permanent Court of International Justice (1).

### 1. — THE CHORZOW CASE (INDEMNITIES)

On July 26th the Court delivered its judgment on the objection taken by the Polish Government to the Court's jurisdiction with regard to the claim for an indemnity brought before it by the German Government in consequence of the seizure by the Polish Government of the nitrate factory of Chorzow in Upper Silesia.

The Chorzow Case has been before the Court since the spring of 1925. On May 15th of that year, the Court received an Application from Germany submitting, amongst other things, that Poland, by taking possession of the factory, had acted contrary to the terms of the Convention of 1922 concerning the partition of Upper Silesia. In response to that Application, Poland filed a plea to the jurisdiction. Having over-ruled that plea by its Judgment of August 25th, 1925, the Court was able to give judgment on the merits and did so on May 26th, 1926, declaring that the attitude of the Polish Government in regard to the German owners of the factory had not been in conformity with the provisions of the Geneva Convention.

On the basis of this Judgment, Germany demanded from Poland the restitution of the factory and an indemnity for the interested parties. During the negotiations it became evident that the restitution of the factory, which had been considerably transformed under Polish management, could not be contemplated, so that it only remained to discuss the question of an indemnity. As regards the amount of this indemnity, agreement appeared to be possible, but irreconcilable differences of opinion became apparent in regard to the method of payment, particularly when Poland allowed it to be understood that her intention was to set off against the greater part of the indemnity a debt which, in her contention, was owing to her by Germany. In these circumstances, the German Government, exercising a right which it had consistently reserved throughout the negotiations, decided once more to have recourse to the Court and to ask it (1) for a decision to the effect that the Polish Government was under an obligation to make reparation for the injury caused by the seizure of the factory, (2) to fix the amount of the indemnity — more than 100 million marks — and the method of payment. In response to this Application, the Polish Government filed a new plea to the jurisdiction, upon which the Court delivered judgment on July 26th.

After setting out in detail the facts briefly summarised above, the Court, before going further, stated that its jurisdiction was invoked by Germany in this case

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(1) This article has been compiled on the basis of information furnished by the Registrar of the Court.

solely upon the stipulations of Article 23 of the Geneva Convention, according to which "should differences of opinion, resulting from the interpretation and the application of Articles 6 and to 22, arise..... they should be submitted to the decision of the Court". The article added, however, that "the jurisdiction of the Germano-Polish Mixed Arbitral Tribunal under the provisions of the Peace Treaty of Versailles was in no way "impaired". Articles 6-22 of the Convention contain provisions prohibiting, with some exceptions, the expropriation (liquidation) of major industrial undertakings in Polish Upper Silesia for a period of fifteen years. The Court also prefaced its legal argument by observing that it could not take account of proposals made by the parties in the course of unsuccessful negotiations which might have taken place between them.

The Court then observed that the Polish Government's objection was based on two contentions : firstly that the jurisdiction bestowed on the Court to deal with differences relating to Articles 6-22 did not cover differences in regard to reparations due for violation of those articles; secondly, that other tribunals, namely the Upper Silesian Arbitral Tribunal and the Mixed Arbitral Tribunal of Paris were competent in this case and that this circumstance affected the Court's jurisdiction as the interested parties should in the first place have recourse to those tribunals.

The Court, as a result of its consideration of the first of these contentions, observed that the jurisdiction which it derived from Article 23 certainly covered differences in regard to any reparation for a breach of Articles 6-22. The principal arguments on which this conclusion was based as follows :

In its previous judgments in connection with the Chorzow Case, the Court had already established that its jurisdiction covered not only disputes relating to the application of the articles, but also those relating to their applicability. Since the violation of an engagement imports, in international law, an obligation to make adequate reparation, reparation is likewise the indispensable complement of a failure to apply the articles in question in cases where they should have been applied, and jurisdiction to hear differences of opinion in regard to application includes, generally speaking, jurisdiction for disputes respecting reparation due in case of non-application. Poland, however, argued that this latter jurisdiction was not, at the present day, covered by jurisdiction in regard to application and had been deliberately separated or excluded from it. Accordingly, the Court proceeded to show, by considering the development of arbitration clauses and of treaties of arbitration that this was not so, but that, on the contrary, disputes concerning reparations due for violations, the existence of which had been established, were essentially to be regarded as disputes for arbitration. It also held that in using the expression "differences *resulting*" etc. in Article 23, the parties had in mind the origin of disputes rather than their subject, and that this would tend to include disputes in regard to reparations amongst those regarding application, even if the conception of application did not, in itself, import the interpretation.

Leaving aside the terms of Article 23, the Court arrived at the same conclusion by considering the function which that Article was called upon to perform in the system established by the Geneva Convention. This function was, the Court held, to avert the possibility that, in consequence of the existence of a persistent difference of opinion between the parties as to the interpretation or application of Articles 6-22, the interests, respect for which these articles were designed to ensure, might be compromised. For this reason, the Court, in the absence of a definite provision clearly expressing a contrary intention of the parties, could not confine itself simply to recording that the Convention had been incorrectly applied or had not been applied, without laying down the conditions for the re-establishment of the treaty rights affected.

Considering the second of the two contentions on which Poland based her plea to its jurisdiction, the Court also arrived at the conclusion that it could not be upheld that Poland's argument appeared to be based, not only on Article 23, paragraph 2 of the Convention, but also on the general principle that recourse might

only be had to international tribunals proper, after, the ordinary means of redress had been exhausted, i. e., in this case, proceedings in the Arbitral Tribunal at Beuthen and the Mixed Arbitral Tribunal at Paris—to the exclusion of the Polish courts.

As regards the Beuthen Tribunal, the Court observed, in the first place, that Tribunal's jurisdiction was based on a clause in Article 5 of the Convention which, in the Court's opinion, related to a subject different from that dealt with by Articles 6-22. Now the act of dispossession for which reparation was claimed had been declared by the Court in previous judgments to be a violation of these articles; it followed, therefore, that only the Tribunal provided for in connection with those articles would have jurisdiction. Moreover, the Tribunal of Beuthen could only grant an indemnity by way of reparation, whereas reparation for the violation of these articles should be able to take the form of restitution.

As regards the Mixed Arbitral Tribunal, its jurisdiction is reserved by Article 23 itself. The Court explained this fact by recalling that the application of Articles 6-22 might give rise to cases analogous to those in which the Treaty of Versailles conferred jurisdiction upon that Tribunal, and that the object of the Geneva Convention was certainly not to diminish the guarantees which the said treaty conferred upon persons subject to liquidation.

But such cases are necessarily cases of expropriation or of liquidation within the terms of Article 6-22, whereas here a case resulting from the breach of an obligation to apply those articles was in question. According to the terms of the judgment itself "these acts constituted special measures which fell outside the normal operation of Articles 6-22..... whereas the jurisdiction reserved by Article 23, paragraph 2 (namely that of the Mixed Arbitral Tribunal) assumed the application of those articles".

These considerations excluded the operation in the present case of the jurisdiction which the Mixed Arbitral Tribunal might derive from Articles 92 and 297 of the Treaty. But Article 305 also confers jurisdiction upon the Tribunal. The Court, however, whilst reserving the interpretation of that Article for that Tribunal itself, had doubts as to that Article's being applicable in the present case and in this respect it observed that it could not allow its jurisdiction to give way before that of another tribunal unless confronted with a clause sufficiently clearly entirely to exclude the possibility of a negative conflict of jurisdiction involving the danger of a denial of justice.

In a general way, the Court recalled—in reference to the Polish claim in which the jurisdiction of the Mixed Arbitral Tribunal, under Article 23, was supported as against that of the Court—the recognised principle according to which one party cannot object to the other not having recourse to a jurisdiction which a given agreement offers if it has itself wrongfully rejected the application of that agreement; in the present case therefore, Poland, having omitted to apply the Geneva Convention, could not demand from the interested parties that they should await reparation from the Mixed Arbitral Tribunal for the wrong which they had suffered owing to that omission.

In conclusion, the Court referred to an argument submitted by Poland and according to which in case of doubt it should decline jurisdiction. On this subject, it declared that certainly it would only affirm its jurisdiction when the force of the arguments militating in its favour preponderated, but there could be no question of doubt nullifying jurisdiction in a case in which, as in the present one—the intention of the parties to confer jurisdiction could be demonstrated in a manner convincing to the Court.

As far as the conclusions of the German Application relating to the amount of the indemnity and to the method of payment were concerned, the Court, considering them as supplementary to the claim of the right of reparation, reserved them for consideration upon the merits.



In the operative provisions of the judgment—it was adopted by ten votes as against three—the Court declared that it dismissed the Polish plea to its jurisdiction and retained the suit instituted by the Germany Government for consideration upon the merits.

M. Ehrlich, Polish National Judge, by virtue of Article 57 of the Statute, alone attached a statement of his dissenting opinion.

The times for the submission of further documents in the case have been fixed by the President as follows : for the Counter-Case, September 30th; for the Reply, November 15th, for the Rejoinder, December 30th. The case will, therefore, be ready for the Ordinary Session of 1928, or for any extraordinary Session which may be held at the beginning of that year.

## 2. — THE LOTUS CASE

The beginning of the hearings in this case has been definitely fixed for August 2nd.

The Turkish Chargé d'Affaires at the Hague has informed the Registrar that His Excellency Mahmout Essat Bey, the Turkish Minister of Justice, will be assisted in his capacity as Agent by Djemil Bey, Professor of International Law at the Angora Law School and by Vely Bey, Professor of Civil Law at the same school and legal adviser to the Turkish Ministry for Foreign Affairs.

## 3. — THE MAVROMMATIS CONCESSIONS AT JERUSALEM (READAPTATION)

By letter dated July 22nd, 1927, His Britannic Majesty's Government has informed the Registrar of the appointment of Mr. A. J. Harding, C. B. E., of the Colonial Office, as British Agent in this case.

The British Government has at the same time officially given notice of its intention to file a preliminary plea to the jurisdiction. The time within which this plea must be filed expires on August 15th.

For its part, the Greek Government has stated that it intends to avail itself of the right to nominate a judge of its nationality to sit in the case and that it has appointed for this purpose, M. Caloyanni, formerly Judge of the Mixed Court of Alexandria. Furthermore, M. Politis, formerly Greek Minister for Foreign Affairs, and Mr. Henry Purchase, LLB., have been appointed to present the Greek Government's views to the Court.

## 4. — INTERNATIONAL AGREEMENTS CONCERNING THE COURT'S JURISDICTION

In addition to those mentioned in the *Monthly Summary* of May, the Governments of the following countries have replied to the circular letter of March 24th :

United States of America, Belgium, China and Peru. Together with its reply, the Government of the United States has sent the Registry the text of ten agreements signed by it and containing clauses concerning the Court's jurisdiction.

## III. — Arbitration, Security and Reduction of Armaments.

### COMMUNICATIONS WITH THE SEAT OF THE LEAGUE IN TIMES OF EMERGENCY

The Committee of Experts studying the possibility of making a landing ground for aircraft near the seat of the League, to facilitate communication between Geneva and the Council members, met at Geneva on July 23rd and July 24th.

In December last, the Council instructed the Committee on Communications and Transit to study this question and to submit suggestions as to the most suitable methods of facilitating direct communication between the capitals of the countries represented on the Council and Geneva.

At this March meeting, the Committee on Communications and Transit came to the conclusion that the establishment of a special means of communication, independent of national systems as a whole, would have to be contemplated. It accordingly instructed the Secretariat to examine the possibility of making or improving a landing ground for aircraft, near the seat of the League, which in times of emergency would share in the extra-territoriality to which the League was entitled.

The Secretariat thereupon applied for the necessary information to the Swiss Federal authorities, who replied by a detailed report on the present situation of the Cointrin aerodrome, its equipment and the possibilities of improving it.

The experts then examined on the spot the equipment of Cointrin aerodrome, noted the information placed at their disposal, and proposed certain improvements to the existing equipment.

The meeting was attended by M. Boissonnas, State Councillor, Chief of the Department of Public Works of the Canton of Geneva; M. Duval, of the Air Navigation Department of the French Ministry of Commerce and Industry, M. Gsell, Engineer in the Survey Department of the Air Office; M. Lacroix, Engineer in the Department of Public Works of the Canton of Geneva; Comm. Marescalche, Administrator of the Aeronautical Construction Company, Genoa; M. Milch, Director of the *Luft Hansa*, Berlin; M. Nieuwenhuis, Traffic Manager of the *Koninklyke Luchtvaart Maatschappij*, Amsterdam; M. Weber, Director of the Cointrin Aerodrome.

#### IV. — Legal and Constitutional Questions.

##### INTERNATIONAL ENGAGEMENTS

###### a) *Registration.*

The total number of international agreements, conventions and Treaties registered with the League of Nations is now more than 1500. Those presented for registration in July include :

An exchange of notes between the United States and Great Britain (Washington, May 19th, 1927) regarding the disposal of certain pecuniary claims arising out of the recent war, registered at the request of the British Government.

A Conciliation Treaty between the Netherlands and Swiss Governments (the Hague, December 12th, 1925), presented by both the Contracting Parties, and a Conciliation Convention between Denmark and Estonia (Tallinn, December 18th, 1926), presented by the Estonian Government;

A Convention between Belgium and Latvia (Brussels, October 17th, 1926), relating to extradition and legal assistance presented by the Latvian Government, and a Treaty on Legal Assistance between Germany and Bulgaria (December 22nd, 1926), presented by the Bulgarian Government;

A Treaty of Commerce (Berne, February 16th, 1927) between Switzerland and Czechoslovakia, presented by both the Contracting Parties, and a provisional commercial Agreement between Albania and Czechoslovakia (Tirana, January 19th 1926), presented by the Czechoslovak Government;

A series of treaties and conventions concluded in the spring of 1926 by Germany and Poland with a view to the regulation of frontier and railway traffic between the two countries, presented by the Polish Government;

A Sanitary Convention (Berlin, June 9th, 1926) between Germany and Latvia, presented by the Latvian Government;

and an Agreement between Germany and Estonia (Tallinn, April 5th, 1927) with regard to the importation, exportation and re-exportation of narcotics, presented by the Estonian Government.

b) *Adhesions, Ratifications, etc.*

The instrument of ratification of the Convention on the Simplification of Customs Formalities (Geneva, November 3rd, 1923) has been deposited by Greece. That of the Slavery Convention (Geneva, September 25th, 1926) has been deposited by Latvia.

## V. — The Technical Organisations.

### 1. — THE ECONOMIC AND FINANCIAL ORGANISATION

#### *Meeting of the Economic Committee.*

The Economic Committee met at Geneva in extraordinary session from July 12th to July 14th to consider what action should be taken in regard to the resolutions of the Economic Conference concerning customs tariffs, and more particularly the unification of tariff nomenclature.

This meeting was held in accordance with a decision taken by the Council in June.

M. Brunet (Belgian) was elected to the Chair, the other members present being :

- M. Ador, Chairman of the Economic and Financial Commission;
- M. Campion (Australian);
- M. Schüller (Austrian);
- Sir Sydney Chapman (British);
- M. Barboza Carneiro (Brazilian);
- M. Ibl (replacing M. Dvoracek, Czechoslovakia);
- M. Jensen (Danish);
- M. Figuiera (replacing M. Serruys, French);
- M. Trendelenburg (German);
- M. di Nola (replacing M. Pirelli, Italian);
- M. Ito (replacing M. Matsuyama, Japanese);
- M. Dolezal (replacing M. Wieniawski, Polish);
- M. Neculcea (Rumanian);
- M. Heer (Swiss).

With regard to the recommendations of the Conference concerning customs tariffs and commercial treaties, the Committee decided to institute an enquiry for the purpose of collecting practical information giving as clear a picture as possible of the existing situation. This information—which will be furnished by members of the Committee as regards their respective countries and by qualified individuals with whom the Secretariat is in touch and whose competence it is in a position to appreciate—will bear on the characteristic features of the tariffs of the various countries, autonomous tariff, double tariff, etc.; the advantages and disadvantages of the system in force from the point of view of the conclusion of commercial treaties; the form and application of the most-favoured-nation clause, and the difficulties to which this application may have given rise in practice.

The Committee appointed a small body of experts, who will meet on August 22nd, to consider principles on which the general framework of a tariff might be

based, and to make suggestions as to the later stages of the study of the highly complex question of unifying customs nomenclature and simplifying customs tariffs.

The Committee, finally, considered a recommendation of the Economic Conference with a view to the convocation of an international conference to frame a convention on the treatment of foreign nationals and companies. This recommendation was based on a series of proposals formulated by the Committee itself after a thorough investigation of the question and on a preliminary draft convention prepared by the International Chamber of Commerce.

The Committee requested the Secretariat to collect material for the Conference with such assistance as might seem appropriate.

## 2. — COMMUNICATIONS AND TRANSIT

### a) *Maritime Tonnage Measurement* <sup>(1)</sup>.

A Sub-Committee of experts met in London from July 5th to July 15th to study certain questions relating to the eventual unification of maritime tonnage measurement.

It drew up a provisional report for the Technical Committee for Maritime Tonnage Measurement, reserving its right to hear later a certain number of specialists from nations interested in the question, but not represented on the Committee.

The Meeting was attended by Mr. Buckle, principal Tonnage Surveyor of the Board of Trade; M. van Driel, Consulting Engineer to the Netherlands Navigation Inspection Service, M. Rottmann, Senior Adviser to the German Tonnage Office, and M. Aall, Chief Tonnage Surveyor in Norway.

### b) *Buoyage and Lighting of Coasts.*

A Sub-Committee of experts, appointed by the Technical Committee for Buoyage and Lighting of Coasts to investigate the results of experiments made in a certain number of countries with new types of buoys and to draw up proposals for the improvement of the cardinal system of buoyage, met from June 27th to July 3rd on board the Finnish inspection ship *Eläköön*.

The Sub-Committee proceeded to various experiments with new types of signals in Finland, Germany and Sweden. The results of its investigation will be communicated to the Technical Committee for Buoyage and Lighting of Coasts.

The Sub-Committee was composed of M. Hägg, Director-General of Pilotage, Lighthouses and Buoyos (Sweden), M. van Braam van Vloten, Director of the Netherlands Technical Lighthouse Service, Captain Horn (Norway); M. Meyer, Adviser to the German Ministry of Communications; M. Wrede, Director-General of the Finnish Naval Administration.

### c) *Combined Transport.*

The Sub-Committee for combined traffic between railways and enterprises other than railways met in Dresden on June 24th and 25th. There were present M. Lankas, Director of the Czechoslovak Ministry of Communications, Chairman, M. Gyorgy, Director of the Royal Hungarian River and Maritime Navigation, M. Hoyer, Director of the *Rhein und Seeschiffahrt*, M. Mittler, Commercial Director of the Danube—Save—Adriatic Railway Company, M. Niemack, Adviser to the German Ministry of Communication, M. Rek, Director of the *Vereinigte Elbeschiffahrtsgesellschaften*; Dr. Spiess, Director of the German State Railways.

(1) See *Monthly Summary*, Vol. VII, No. 4, p. 101.

The Sub-Committee examined the question of combined transport by rail and by water, with special reference to the Rhine, the Elbe and the Danube. It considered the various difficulties in the way of combined transport, in particular those concerning the responsibility of the contractor, joint tariffs and single transport contracts, certain members expressing the opinion that the establishment of such contracts for combined rail and water transports was by no means practically impossible.

### 3. — INTELLECTUAL COOPERATION

#### *Ninth Session of the Committee.*

The ninth session of the Committee on Intellectual Cooperation was held at Geneva from July 22nd to 26th, under the chairmanship of Professor Lorentz. This meeting was preceded by meetings of various Sub-Committees and of the Sub-Committee of Experts for the instruction of youth in the aims of the League, which began on July 4th.

The entire work of the League in the domain of Intellectual Cooperation was thus reviewed. Measures were taken to pursue work in connection with the instruction of youth in the aims of the League, university relations, bibliography, scientific relations, intellectual rights, artistic and literary relations, etc...

The Committee also sat as Governing Body of the International Institute of Intellectual Cooperation, on which occasion it examined the work and the financial administration of the Institute during the past year and considered the programme for the coming year.

It re-elected as Chairman Professor Lorentz (Netherlands), and as Vice-Chairman Professor Gilbert Murray (British).

#### I. INSTRUCTION ON THE LEAGUE

The Sub-Committee of Experts dealing with this question noted various communications as to the measures adopted by Governments to introduce at various stages of school curricula, in accordance with the recommendations of the Council, lessons calculated to make known to young people the aims, organisation and work of the League.

The Sub-Committee had contemplated in particular the introduction in school programmes of instruction on the League and on international cooperation. In addition, it had envisaged the possibility of establishing travelling scholarships and competitions, of organising lectures and of making use of the assistance of unofficial societies interested in educational matters.

These recommendations had been examined by Governments and philanthropic organisations, which had in the main approved the programme submitted.

On the basis of their observations, the Sub-Committee drew up an amended version of its initial scheme, the broad lines of which remained unchanged.

The Plenary Committee associated itself with the conclusions adopted by the Sub-Committee, which aimed at the foundation, in connection with the Secretariat and the International Institute, of a centre of educational information on the League of Nations; at regular meetings of the experts appointed to examine the progress made in various countries in regard to instruction on the League and at the eventual organisation of lectures for the purpose of giving information to teachers dealing with League questions.

The Committee contemplated the publication of a reference book containing all information necessary for school authorities desirous of instituting instruction in the aims of the League. This book, which would be written with the aid of qualified experts nominated by the Secretary-General of the League, would be widely distributed.

## II. UNIVERSITY RELATIONS

The Sub-Committee on University Relations and the Committee on Intellectual Cooperation considered the work done during the past year in regard to university relations.

The Committee decided that the Bulletin of University Relations, published by the International Institute, should be amended so as to conform to the various wishes expressed by university circles.

It invited the Institute to continue its study of the problem of the equivalence of diplomas and to organise a special service to deal with questions concerning students.

It discussed a scheme for the establishment of international post-graduate scholarships. In this connection it contemplated the convocation by the Institute of a Committee of Experts. The Committee also noted that a permanent committee had been constituted in Paris, composed of representatives of all Parisian organisations dealing with international study, for the purpose of co-ordinating university work on international questions and preliminary negotiations to obtain similar results at other universities.

The Committee decided to encourage all efforts to set up national university offices in countries in which they did not yet exist.

## III. BIBLIOGRAPHY

The Sub-Committee on Bibliography and the Committee on Intellectual cooperation took note of the work done in regard to the co-ordination of bibliography en Graece-Roman archeology, economics and biology and also dealt with the question of the co-ordination of the work of the various libraries. Substantial progress has been made in regard to economic bibliography and the Committee hopes to be able to surmount certain financial obstacles in the way of complete success. The co-ordination of the work of libraries has also advanced. The Committee decided to establish in connection with the Institute a special library service to maintain relations between the existing national information offices and to promote the organisation of such offices in countries in which they did not yet exist.

The Sub-Committee began its examination of the question of the quality of the ink and paper used in official documents and set up a Committee of Experts to deal with it.

## IV. INTELLECTUAL RIGHTS

The Sub-Committee on Intellectual Rights and the Plenary Committee on Intellectual Cooperation considered questions concerning the status of international law associations. They also considered the questions of scientific property (to secure to intellectual workers a share in material profits resulting from the industrial application of their discoveries) and authors' rights.

*International Private Law Associations.* — The Committee considered that, in reason of the diversity of the statutes of these organisations, which are governed by the laws in force in the different countries, it would be necessary to frame an international régime providing them with universally recognised legal status and the necessary means of subsistence. It emphasised the necessity of establishing these associations on an autonomous basis, in order to render them as far as possible independent of national legislation. The Committee asked the Institute to study this question.

*Scientific Property.* — The Committee noted a series of fresh observations made by Senator Ruffini. It came to the conclusion that the preliminary enquiry might

be considered as closed and decided to convene a special Committee to amend the original draft in the light of the observations so far submitted.

*Authors' Rights.* — The Committee, endorsing the opinion of the Sub-Committees on Intellectual Rights and Arts and Letters, decided that, at the Diplomatic Conference, convened to meet in Rome in November next, for the revision of the Berne Convention on industrial, literary and artistic property, it would support the following point of view : authors' rights should be internationally fixed as valid for a period of fifty years *post mortem auctoris*; national reservations to the Berne Convention should be abolished ; applied art, as far as authors' rights are concerned, should be considered as works of art strictly speaking ; all national law systems should take account of the *droit de suite* (to secure for an artist a share in the increase of the value of his works at successive sales), the principle of the respect of works of art (prohibition of alterations which might change the character of a work of art) and the principle of paying for reproductions of works which have become public property (for the purpose of constituting funds to encourage the arts).

The Committee noted with satisfaction that a bill had been brought in the French Parliament for the creation of a national literary, artistic and scientific fund based on fees for the reproduction of literary and artistic works which had become public property.

#### V. ARTISTIC AND LITERARY RELATIONS

The Sub-Committee on Arts and Letters and the Plenary Committee on Intellectual Cooperation considered the work of the International Museum Office and also the question of the organisation of a Congress of popular art. They examined the possibility of international action in regard to the theatre and the protection of natural beauty spots, the publication of an international artistic year book and the translation of literary works.

*International Museum Office.* — The Committee noted that this Office, which was set up last year, was working satisfactorily and that its first initiatives had been crowned with success, in particular that of the chalcographical exhibitions in Madrid, Paris and Rome. As a result of this initiative the Belgian Government was contemplating the foundation of a national chalcographical institute, and other European (Geneva, Liège, Brussels, Mulhausen and Saragossa) and American towns were proposing to organise similar exhibitions.

The Committee thought that the potential field of action of the Office was extremely vast. It recommended that the Office should continue to publish its periodical "Meuseion" and its special bulletins on certain questions falling within its domain; that a Committee of Experts should continue to study the centralisation, exhibition and exchange of casts (fragments of monuments, sculpture and medals) and that another Committee, which should include an American expert, should enquire into the educational role of museums.

The Committee approved the formation of an international federation of historical and artistic students organisations.

• *Congress of Popular Art.* — There was an exchange of views on this Congress, which will meet under the auspices of the League, probably in Prague at the beginning of October, 1928.

The Committee decided to draw the attention of the Assembly to an offer which it had received from the City of Berne to organise an exhibition of popular art after the Congress.

*International Work in Connection with the Theatre.* — The Committee asked the Institute of Intellectual Cooperation to study the possibility of international

action in this domain. It recommended that the International Labour Office, which is particularly interested in the question of the recreation of the worker, should give special consideration to the question of procuring engagements for artists.

*Protection of Natural Beauty Spots* (in particular national parks). — The Committee thought that this question should be placed on the programme of the Institute, in order to be made the object of international recommendations.

*Publication of an International Artistic Year Book*. — The Committee approved a scheme submitted in connection with this question.

*Translations*. — The Committee thought that the establishment of an International Translation Office might be useful as soon as specially qualified translators of the various countries had formed national groups. These groups, the Committee considered, might constitute a federation and set up a International Translation Committee with which the Institute on Intellectual Co-Operation might enter into relations.

#### VI. CINEMATOGRAPHIC QUESTIONS

The Committee noted a report of the Institute on the International Cinematograph Conference, which was held in Paris from September 27th to October 3rd 1926, on the initiative of the French National Committee of Intellectual Cooperation. While voicing its interest in cinematographic questions and recognising their importance in intellectual life, the Committee reserved its decision as to the formation of an international office for the educational role of the cinematograph. It asked the Institute to continue to study questions of this kind.

#### VII. COMMITTEE OF INTELLECTUAL WORKERS

The Committee appointed M. Destrée and M. Einstein to take part in the work of the Mixed Advisory Committee of Intellectual Workers set up by the International Labour Office to study the Economic situation of intellectual workers.

#### VIII. NATIONAL COMMITTEES

The Committee examined the work of the various National Committees and contemplated certain measures for the improvement of its relations with these bodies, in particular, meetings of representatives of the National Committees. The Committee recalled that, while it was always ready to take into consideration serious proposals from any private organisation whatever, it could only recognise as a National Committee one body in each country.

#### IX. INTERNATIONAL INSTITUTE OF INTELLECTUAL CO-OPERATION

The work of the Institute of Intellectual Cooperation during the past year was examined by the Committee, sitting as Governing Body of the Institute. Its debates, which took place in the presence of the Director of the Institute, M. Luchaire, and of several of his collaborators, enabled the Committee to draw up a programme of future work and to appreciate the work done by the Institute.

The Committee noted that this organisation was working most satisfactorily and that its financial situation had improved, thanks to subsidies from the Austrian, Hungarian, Italian, Monaco, Polish, Swiss and Czechoslovak Governments.



The Plenary Meetings of the Committee were attended by the following persons :

Professor Gilbert Murray, of Oxford University.  
M<sup>me</sup> Curie, of Warsaw University.  
M. Einstein, of Berlin University.  
Mlle. Bonnevie, of Osle University.  
M. Painlevé, French War Minister, Member of the Institute, who was replaced at certain meetings by M. Émile Borel or M. Brunschvig.  
M. Rocco, Italian Minister of Justice.  
M. Destrée, former Belgian Minister of Science and Art.  
Professor de Reynold, of Berne University.  
M. Frontin, Director of Rio-de-Janeiro Polytechnical School.  
Sir J. Chandra Bose, Professor at Calcutta University.  
M. Zaldumbide, Minister of Equador in Paris.  
M. Tanakadate, Professor at Tokio University.  
M. Casarès, Member of the Spanish Academy.  
Mr. Thompson, Secretary of the United States National Committee.

The International Labour Office was represented by M. Maurette and the International Confederation of Intellectual Workers by M. Gallié.

The Governing Body of the Institute, which is composed of Members of the Committee on Intellectual Cooperation was presided over by the French Member of the Committee, namely, M. Painlevé or M. Borel.

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The meetings of the Sub-Committee of Experts for the Instruction of Youth in the Aims of the League, which took place under the chairmanship of Professor Gilbert Murray, were attended by the following Members :

*Members of the Intellectual Committee of Cooperations.*

Professor Murray (British), M. Destrée (Belgian), M. Casarès (Spanish).

*Experts :*

M. Louis A. Baralt (Cuban), Professor and author of works on teaching; M. Chaturvedi (Indian), "Licentiate of Teaching" of Allahabad University; Mme. Dreyfus-Barney (French), Vice-President of the Peace Section of the International Council of Women; Professor Giuseppe Callavresi (Italian), Professor of History at Milan University; Professor Bogdan Gavrilovitch (Serbian), former Rector of Belgrade University; Professor Kiritzesco (Rumanian), Director of Secondary Schools in the Rumanian Ministry of Education; M. Maringeon, General School Inspector in France; Professor Peter Munch (Dane), author of various History books, former Minister; Professor Schellberg (German), Adviser to the Prussian Ministry of Education.

The following persons took part in the debates on behalf of the *Comité d'Entente des Grandes Associations*: Mgr. Beaupin (French); M. Bovet (Swiss); Miss George (United States); M. Welff (German).

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The Sub-Committee on University Relations met under the chairmanship of Professor Gilbert Murray and the following persons took part in its work :

Mr. David Thompson, Secretary of the National Committee of Intellectual Cooperation of the United States; M. Castella, of Fribourg University; M. Castillejo,

of the *Junta para Ampliación de Estudios* (Spain); M. Von Gottl-Ottlikófenfeld, of Berlin University; M. Halecki of Warsaw University; M. Odhner, of the University of Stockholm; M. Thamin, Member of the French Institute.

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The meetings of the Bibliographic Sub-Committee were presided over by M. Lorentz, and attended by the following persons :

Mlle. Bonnevie, Professor at the University of Osle.

Sir Jagadis Chandra Bose, Professor at Calcutta University.

M. Einstein, Professor at Berlin University.

M. Godet, Director of the Swiss National Library.

M. Roland Marcel, General Manager of the French National Library.

M. Kruss, Director-General of the Prussian State Library.

Mr. Thompson, Secretary of the National Committee of Intellectual Cooperation on the United States.

\* \*

The Committee on Intellectual Rights met under the chairmanship of M. Casarès and M. Destrée, the following taking part in its work :

Senator Ruffini (Italian).

M. Ostertag (Swiss), Director of the Industrial and Artistic Property Office, Berne.

M. Figuera (French), representing the League Economic Committee.

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The Sub-Committee on Arts and Letters sat under the chairmanship of M. Destrée. The following took part in its work :

M. Casarès (Spanish); M. de Reynold (Swiss); M. Zaldumbide (Ecuador); M. Baud-Bovy (Swiss); M. Focillon (French); M. Jelinek (Czechoslovak); M. Toesca (Italian) and Mlle. Vacaresco (Rumanian).

## VI. — Administrative Questions.

### 1. — MANUFACTURE OF AIRCRAFT AT DANZIG

The Air Sub-Committee of the Permanent Advisory Committee on Military, Naval and Air Questions met at Geneva from July 20th to July 22nd under the chairmanship of General Sugiyama (Japan), to consider a question referred to it by the Council concerning the manufacture of aircraft in the Free City of Danzig.

The Council had received at its June session through the League High Commissioner at Danzig a request from the Senate of the Free City that the restrictions imposed in 1921 and 1922 on the construction of aeronautical material in Danzig might be abolished.

The meeting of the Sub-Committee was attended by Colonel Streccius (Germany), Major Dhanis (Belgium), Commander Lagos (Chile), Colonel Mac Neece (British Empire), Lt. Colonel Mouchard (France), Captain Ruspoli (Italy), General Sugiyama (Japan), Captain Vreede (Netherlands), Commander Steblowski (Poland), Commander Ratesco (Rumania) and General Klecanda (Czechoslovakia).

## 2. — ELEVENTH SESSION OF THE PERMANENT MANDATES COMMISSION

The eleventh session of the Permanent Mandates Commission was held at Geneva from June 20th to July 6th. There were present M. Freire d'Andrade (Portuguese), Sir Frederick Lugard (British), M. Merlin (French), M. Palacios (Spanish), M. Orts (Belgian), M. Rappard (Swiss), M. van Rees (Netherlands), Marquis Theodoli (Italian), Madame Wicksell (Swedish) and Mr. Grimshaw, representative of the International Labour Office. M. Yamanaka (Japanese) was unable to attend.

The Commission elected its bureau, appointing as Chairman Marquis Theodoli, and as Vice-Chairman M. van Rees.

### I. GENERAL QUESTIONS

*Increase in the membership of the Commission.* — The Commission considered the question referred to it by the Council of a possible increase in its membership with a view to the appointment of a German member. It observed that this question was of political significance, and that accordingly, the Council, in applying to a body whose character was fundamentally technical, could only desire it to state whether there were any technical objections to this proposal.

The majority of the members concurred in the view that there was no technical objection, the minority stating that it would welcome whatever decision the Council might take, but would abstain from expressing an opinion on account of the political character of the question.

*List of the Questions which the Commission desires should be dealt with in the annual reports of the Mandatory Powers.* — At the request of the Council, the Commission considered anew the list, which it had proposed to amend, of questions addressed to the Mandatory Powers with a view to the preparation of their annual reports. It observed that it was entirely for the Mandatory Powers to decide whether or not they desired to use this list and that, in drawing up the list, it had only introduced such questions as had been already dealt with either in the Mandatories' reports or by their accredited representatives. The Commission, accordingly, left it to the Council to decide what further steps should be taken in the matter. It noted that, by the fullness and detailed nature of the information given, the annual reports of the Mandatory Powers, and the statements of their accredited representatives shewed the readiness and goodwill of the Mandatory Powers to facilitate the duties of the Commission. The Commission expressed its hope and confidence that this would always be the case, for it is only on this essential condition that it can, in the future as in the past, accomplish its task.

### II. EXAMINATION OF REPORTS

The Commission examined in the presence of the accredited representatives of the Mandatory Powers the annual reports on the following territories : *Nauru* (Sir Joseph Cook, Australian High Commissioner in London), *French Cameroons* and *Togoland* (M. Duchêne, Director of Political Affairs in the French Colonial Ministry), *New Guinea* (Sir Joseph Cook), *Tanganyika* (Sir Donald Cameron, Governor of Tanganyika Territory), *South West Africa* (M. J. Smit, High Commissioner of the Union of South Africa in London), *Palestine* (Sir John Shuckburgh, Assistant Under-Secretary of State for the Colonies and Mr. Mills, Assistant Chief Secretary of the Palestine Administration), *Syria* and *Lebanon* (M. Robert de Caix, former Secretary-General to the High Commissioner for Syria and Lebanon).

*A. Mandates.*

*Palestine and Transjordan.* — While expressing its satisfaction with the information given by the Mandatory Power with regard to the progress made in local autonomy, the Commission made known its desire to find in the next report more details as to the development of the self-governing institutions provided for in Article 2 of the Mandate. It also expressed a wish for additional information with regard to the judicial system, conditions of labour, public health and finance.

As regards Transjordan, the Commission asked for information as to the result of the negotiations pending between the Mandatory Power and the Amir of Transjordan on the subject of the future constitution of that territory.

*Syria and Lebanon.* — The Commission expressed its appreciation of the full information contained in the report for 1926 on the political and military situation. It was glad to learn that the revolt had come to an end, even in the Jebel Druse.

It observed that it would follow with special interest the constitutional arrangements made by the Mandatory to comply with the stipulations contained in the Mandate. It noted that the framing of the Organic Law had been delayed in order that the Syrian and Lebanese authorities might themselves work out the constitution of the country.

After taking note of the considerable increase in the production of silk and of the intention of the administrative authorities to intensify the cultivation of cotton and grain, the Commission requested the Mandatory to furnish next year additional information on education, public health, and the right of requisition granted to the military authorities in the absence of martial law. With regard to public finance, the Commission noted with satisfaction that the Mandatory had decided to keep the public accounts in gold currency in order to protect the budget resources of the territory from the fluctuations of the exchange.

*B. Mandates.*

*French Cameroons.* — The Commission noted that there had been an increase in the quantity imported of intoxicating beverages. It was accordingly glad to learn that the Mandatory Power fully realised the gravity of the situation and the necessity of taking drastic steps to cope with it. The Commission asked for additional information on labour conditions, the results obtained with regard to administration by native chiefs, education, public health and land tenure. It also requested information regarding the issue of Token money and its effect on economic conditions in the Territory.

*French Togoland.* — The Commission, noting that there had been an increase in the quantity of wines and spirits imported into the territory, asked what steps the Mandatory proposed to take to deal with the situation. It also asked for more definite information with regard to the withdrawal of foreign currency and the difficulties to which this measure appeared to have given rise.

*Tanganyika.* — The Commission noted with interest the progress made in building up a system of native administration, making use, as far as possible, of the traditional tribal organisation, subject to the supervision of the Mandatory Power. It was glad to learn that force of law would be imparted to the pledge given to the natives that, in cases of alienation of their land, they would be guaranteed the right to remain on it.

Special attention was devoted to the efforts of the Mandatory to eradicate the tsetse fly and to improve the sanitary situation of the territory. The Commission noted that the authorities were arranging gradually to replace portage by motor transport and to improve labour conditions. It asked for additional information with regard to the assessment of taxes, education and land tenure.

### C. Mandates.

*Nauru.* — The Commission made a special note of the measures taken in regard to the Chinese workers employed by the British Phosphate Commission.

Additional information was requested in regard to the application of the principle of freedom of conscience.

*New Guinea.* — The Commission noted that in 1925/1926 the Mandatory Power had brought further areas under its administration and asked for information as to the increase of staff which might be required in consequence. It expressed some concern with regard to a certain moral depression among the population of various islands, resulting from the grant, under the previous regime, of practically all the fertile lands to alien planters.

The Commission asked for supplementary information on labour conditions—more particularly on the amount of portage required of natives, on freedom of conscience, education, public health, forestry and finance.

*South-West Africa.* — The Commission had already drawn the attention of the Council to the preamble to one of the agreements concerning the boundary between South-West Africa and Angola, signed by the Governments of the South African Union and Portugal, according to which the former Government declared that, subject to the terms of its mandate, it “possessed sovereignty over the territory of South-West Africa, lately under the sovereignty of Germany”. At its eleventh session, the Commission felt obliged to raise this question again, certain statements and interpretations in the Union Parliament having brought home to it the necessity of defining the exact meaning of the expression “possesses sovereignty”. It accordingly expressed the hope that the South African Government would explain whether, in its view, the term “possesses sovereignty” expressed only the right to exercise full powers of administration and legislation in the territory of South-West Africa, under the terms of the Mandate and subject to its provisions and those of Article 22 of the Covenant, or whether it implied that the Government of the Union regarded itself as being sovereign over the Territory itself.

The Commission asked for information as to any further measures that the authorities might be considering for the purpose of increasing the administrative services in Ovamboland. It also requested details regarding labour conditions, mission work, education, public health and finance.

## II. PETITIONS

The Commission examined petitions relating to Palestine, Syria, Lebanon, French Togoland and South-West Africa. Each petition formed the subject of a report, the conclusions of which were adopted by the Commission.

*Palestine.* — The petitions concerning Palestine were from the Executive Committee of the Palestine Arab Congress, the Zionist Organisation, and the Ashkenazee Community of Jerusalem.

The first of these petitions was reported on by M. Palacios. In it the Executive Committee of the Palestine Arab Congress drew the attention of the Commission to the questions of Jewish immigration, the development of self-governing institutions and languages. The Commission considered that the petition, while dwelling upon the same points as previous documents, was, taken as a whole, more moderate in tone; that the Mandatory had shewn by some of its replies that it was taking advantage of favourable conditions, whenever present, to fulfil the part of the Mandate concerning the non-Jewish population, difficult though it was in the presence of obstinate and systematic opposition of that population.

With regard to the Jewish question, the Commission took note of the policy of restricting immigration which the Mandatory had adopted. As regards self-

government, it noted with satisfaction that there was already a municipal system in existence which would doubtless be a starting point for further progress. With regard to the question of languages, it proposed that the Mandatory should be recommended to give all possible publicity to its enactments and proposals in the languages of the local population.

In a second petition, which was reported on by M. Rappard, the Executive Committee forwarded a memorandum from the Arabs of Barrat Caesarea concerning certain differences of opinion which had arisen between the authors of the petition and the Mandatory with regard to the system of land tenure introduced in the region in question.

The Commission considered that, if it was not possible at present to arrive at an agreement between the Palestine Administration and the inhabitants of the Barrat Caesarea lands, it would seem advisable that the question should be brought before the competent tribunal, all the more so as the Mandatory had intimated that it would be prepared to bear the expenses involved, whatever the decision reached by the court. Even in the event of a court decision confirming the opinion held by the Administration—that the inhabitants represented by the petitioner had no strictly legal rights—the Commission had been assured that the Mandatory, in accordance with the intention expressed by its representatives on various occasions, would see to it that a liberal interpretation was given to the moral rights of the inhabitants.

The memorandum of the Zionist Organisation, which was reported on by M. van Rees, gave valuable and interesting information on the work of that Organisation in 1926/27. It further contained a suggestion as to the desirability of remitting certain land taxes during the first years of the existence of new agricultural colonies. The Commission considered that the point of view of the Mandatory, that it would be undesirable to concede privileges as regards taxation to any one class of agriculturalist, was perfectly logical.

The petition of the Ashkenazic Community was reported on by Madame Wicksell. It contained a request that the Orthodox Jews belonging to the Agudath Israel should be permitted to form their own community, and that the Palestine Administration should recognise it on the same footing as the majority group. The Commission was of opinion that the measures contemplated by the Mandatory were calculated to afford satisfaction to the petitioners.

*Syria.* — The Commission drew attention to the fact that the petitions from the Syro-Palestinian Committee and other quarters, on which M. Freire d'Andrade reported, only contained complaints regarding the general policy of the Mandatory Power. It remarked that the petitioners did not appear to have done all they might to fall in with the wishes of the Commission, which had advised them, in their interest, to co-operate wholeheartedly with the Mandatory, and observed that petitioners must not ask for concessions which would practically make the Mandate nugatory. The Commission hoped that—as the Syrian revolution had gradually diminished in gravity and the Mandatory had gained experience during the last few years of the exercise of the Mandate in a territory in which, for reasons now well known, it was very difficult—it would henceforth be much easier for the High Commissioner to come to an understanding with the different elements of the Syrian population regarding the elaboration of the organic statute of the country. Owing to the pacification taking place in Syria, the Permanent Mandates Commission could only reaffirm the views which it had expressed at its Rome meeting, and repeat to the members of the Syro-Palestinian Committee that it was in their interest to help the Mandatory to bring about such a situation that it might be able to draw up and promulgate the organic statute provided for in the Mandate. The Commission noted that the Mandatory on its side was doing its utmost to see that the local governments were given every facility for the accomplishment of their task.

*French Togoland. Petition of the Adjigo Tribe* (Reporter M. Orts). — The French Government informed the Commission that the dispute between the Lawsog and Adjigo families had been settled and that the representatives of the Adjigo Tribe had been authorised to return to Anecho, whence they had been exiled since 1922.

The Committee of the *Bund der Deutsch-Togoländer* (Reporter Madame Wicksell) complained of the increase of the poll tax, of the increase of emigration, of difficulties owing to the instability of the franc, of atrocities alleged to have been perpetrated by officials of the Mandatory, of the recruiting of natives of Togoland for the Armies of Sudan and Senegal, and of the election of the Councils of Notables.

After examining these complaints and noting the observations of the Mandatory, the Commission concluded that the allegations of the petitioners were in all essentials without foundation.

*South-West Africa. Petition of the Rehoboth Community* (Reporter : Sir Frederick Lugard). — The Rehoboth Community chiefly complained of damages to its property. The Commission took this occasion of drawing the Council's attention to the fact that the Mandatory had announced the despatch of a report on an investigation of the statements contained in a previous petition. This report had not yet been received, and the Commission had thus been unable to form an opinion and reply to the petitioners.

*Petition of Mr. Will Stuart* (Reporter M. Merlin). — This petition, which was forwarded to Geneva in May, 1926, criticised the boundary, as it then existed, between Angola and South-West Africa. Since that date agreements have been concluded between the South African Union and Portugal.

The Commission was of opinion that the agreements in question appeared to satisfy certain desiderata contained in the petition and that, although certain tribes were cut in two by the new frontier, it seemed unlikely that this division would give rise to any further difficulties in the future.

## VII. — Social and Humanitarian Questions.

### CONFERENCE FOR THE ESTABLISHMENT OF AN INTERNATIONAL RELIEF UNION

The Conference for the establishment of an International Union for the relief of populations stricken by disaster, summoned on the Council resolution of December 10th, 1926, met at Geneva from July 4th to 12th, when it framed a Convention, Statutes and Final Act.

The President, who was appointed by the Council, was M. Kulz, member of the Reichstag and former minister.

In reply to invitations issued to States Members of the League and Afghanistan, Egypt, Ecuador, Hedjaz, Iceland, Lichtenstein, Mexico, Monaco, San Marino, Sweden, Turkey, and the Union of the Soviet Socialist Republic and the United States, delegates from the following forty-one countries took part in the Conference :

Abyssinia, Afghanistan, Austria, Belgium, Bolivia, Bulgaria, China, Colombia, Cuba, Czechoslovakia, Danzig, Denmark, Egypt, Ecuador, Finland, France, Germany, Great Britain, Greece, Guatemala, Hungary, India, Irish Free State, Italy, Japan, Latvia, Monaco, Nicaragua, Lichtenstein, New Zealand, Poland, Portugal, Rumania, Kingdom of the Serbs, Croats and Slovenes, the Republic of San Marino, Spain, Sweden, Switzerland, Turkey, Uruguay and Venezuela.

The International Committee of the Red Cross and the League of Red Cross Societies sent official representatives in an advisory capacity; members of the Preparatory Committee of the Conference attended as experts.

The Military Sovereign Order of the Knights of Malta sent an observer.

#### ORIGIN OF THE SCHEME .

For many years philanthropists have recommended that an organisation should be formed to relieve populations stricken by disaster. The war gave fresh stimulus to this idea, and the Red Cross Organisations placed the question on their agenda. The first to state the problem in definite form was Senator Giovanni Ciruolo, Chairman from 1919 to 1925 of the Italian Red Cross, who in 1920 submitted to the tenth Red Cross Conference a report on "the necessity of an international organisation for the immediate relief of populations stricken by unforeseen calamities". Senator Ciruolo drew attention to the fact that international relief for stricken populations, unable by their own means to cope with disaster, was either non-existent, inadequate, slow or lacking in organisation. In 1922 he submitted to the Genoa Conference a report which was referred to the League for consideration.

In this connection it may be recalled that, by Article 23 of the Covenant Members of the League agree "to endeavour to take steps in matters of international concern for the prevention and control of disease", and, by Article 25, "to encourage and promote the establishment and cooperation of duly authorised voluntary national Red Cross organisations, having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world".

It was in these circumstances that the Ciruolo scheme was brought before the fourth Assembly in 1923.

The scheme provided for inter-governmental cooperation based on the insurance principle. Governments would undertake by convention to participate in the constitution of a fund to be utilised, under the auspices of an international organisation, by the various Red Cross Societies, in procuring immediate relief in the case of serious disaster occurring in the territory of a Contracting Party.

The Assembly decided to communicate to Governments, for their observation, Senator Ciruolo's scheme and any comments which might be made upon it by the Red Cross Societies.

#### PREPARATORY WORK

Twenty-one Governments approved the fundamental principles of the scheme, and in 1924 the Fifth Assembly requested the Council to appoint a preparatory Committee to study whether it was technically feasible.

Under the chairmanship of Senator Ciruolo, the Committee, including representatives of the International Red Cross Organisations, held three meetings in 1925, in the course of which it drew up a draft statute of an "International Relief Union" which it submitted to the Council and the Sixth Assembly. The revised scheme came again before the Council in December, 1925, and was submitted for formal examination to all Governments, who were asked to communicate their views on the subject before July 1st, 1926.

The majority of the Governments consulted having expressed their general approval of the constitution of the Union and their willingness to embody the proposed statutes in their institutions, the Council decided to summon in 1927 a Conference for the conclusion of the necessary agreement.

As, nevertheless, several States had not replied and others had proposed amendments, the Committee met again in November, 1926, when modified certain details of the scheme and recommended that the Council should convene the Conference in July, 1927.



ANALYSIS OF THE CONVENTION AND STATUTES

*The Convention.* — The Union is constituted between States. This fact introduces in the constitution of the Union a principle of official international solidarity and mutual aid in case of disaster, even though the idea of insurance has been completely abandoned.

Each State Member of the Union undertakes to contribute to the establishment of an initial fund a share equal to 700 Swiss francs for each unit in its quota of the League budget. The remaining resources of the Union will be purely voluntary in character, and with their aid it will be possible constantly to replenish the initial fund. In this way, the Union—and this is one of the practical advantages aimed at by the authors of the scheme— will be able to send first aid immediately without waiting for the result of appeals to the public in case of disasters. In present conditions it is precisely this prompt despatch of first aid which is lacking at a time when it would be most useful, namely, the period immediately following the disaster.

In addition to rendering first aid, the object of the Union is to coordinate the efforts of relief organisations in the event of disaster, and, in a general way, to encourage the study of preventive measures against disasters, and to induce all peoples to render mutual international assistance.

Although the Union has been constituted between States, it contemplates an extremely close cooperation with non-official organisations, in particular with the Red Cross Societies. States which desire to do so may be represented in the Union by their national Red Cross Society.

Moreover, as becomes evident from the analysis of the Statutes, both in the organisation of the central and permanent services of the Union and in the sending of assistance to various countries, the constitution and working of the Union presuppose free cooperation with the national Red Cross Societies, with institutions or bodies constituting a moral and legal bond between the national Red Cross Societies, and with any other official or non-official organisation able to undertake similar activities with regard to populations stricken by disaster, working if possible in collaboration with the Red Cross Societies.

The International Relief Union will operate for the benefit of all stricken peoples regardless of race, nationality, or political or religious considerations.

Its activities will nevertheless be limited to disasters occurring in the territories of members of the Union, or of a nature to affect these territories.

The Union will have its seat in the city in which the League is established, that is, Geneva. It will be able to sue or be sued, and to acquire, with or without consideration, and to possess property of any kind, subject to the law of the country concerned.

In addition to the initial fund, the resources of the Union will consist in voluntary grants that may be made by Governments, private contributions, and donations and bequests.

The financial responsibility of States members of the Union will be confined to the obligation to contribute to the initial fund. In their territories and so far as is possible under the local law, the Contracting Parties will undertake to accord to the Union and to organisations acting in its name, all immunities, facilities and exemptions for their establishments, for the movements of their staffs and supplies, for relief operations and for the publicity of appeals. The Convention provides for the settlement by negotiation or by arbitral or judicial procedure (in the latter case through the Permanent Court of International Justice) of any differences which may arise between States regarding the application of the Convention.

The Convention is open for signature until April 30th, 1928. From May 1st of the same year it will be open for accessions. It will come into force only when ratified or acceded to by twelve States, and when the combined contributions amount to 600 shares (i. e. 600 times 700 Swiss francs).

Any member of the Union may withdraw from the Union at one year's notice.

The Conference, in adopting the Convention, took note of statements by representatives of the International Committee of the Red Cross and the League of Red Cross Societies, approving the Convention and expressing their readiness to discharge the tasks they might be called upon to perform in pursuance of its terms.

On this occasion M. Werner adhered on behalf of the International Committee of the Red Cross to the work of the Conference. The International Committee, he said, welcomed the creation of a new bond of union between nations.

Mr. Kittredge of the League of Red Cross Societies, recalled that the Board of Governors of the League of Red Cross Societies had fully approved the declaration made by Colonel Bicknell to the Preparatory Committee, to the effect that the League of Red Cross Societies could be counted upon to assume its share of the burdens of the Secretariat of the International Relief Union, including the necessary expenses therein involved, if it were called upon to do so. The League of Red Cross Societies was prepared, in conformity with Article XIV of the Statutes of the International Relief Union, to provide at its own expense such part of the permanent and central services of the International Relief Union as the Executive Committee of the Union might see fit to confide to it when the Union was definitively constituted.

In this connection, the American Red Cross, if the Government of the United States adhered to the Convention, would automatically assume the functions that would be delegated to it by its Government. In that event the American Red Cross wished to make clear that it would act as an integral part of the machinery of the Union.

If, however, the Government of the United States did not become immediately a signatory of the Convention, the American Red Cross still desired that, in international relief action, it should collaborate as closely as possible with the services of the Union. It had already examined that possibility and was prepared to state that in whatever relief action it undertook it will operate through the machinery of the Union.

#### STATUTES

The International Relief Union will be directed by a General Council, which will appoint an Executive Committee.

*General Council.* — The General Council of the Union which will serve as the deliberative and constitutional body, will be competent to deal with all the affairs of the Union and will be composed of delegates from all the members of the Union, one delegate being sent by each member. Members may be represented by their national Red Cross Society or by an appropriate national organisation. The Secretary-General of the League may attend or be represented at all the meetings of the General Council and the Executive Committee.

The General Council will meet every two years at the Seat of the Union. For its meetings, a quorum of representatives of half the members of the Union is necessary; its decisions will be taken by a majority vote.

*Executive Committee.* — The Executive Committee will be composed of seven members appointed by the General Council for two years. It will also include, in an advisory capacity, two representatives of the international organisations of the Red Cross.

It will meet at least once a year at the Seat of the Union, administer the funds of the Union and represent the Union in its dealings with the League, with Governments, and with the organisations provided for in the Convention. In the event of disasters, it will have power to act on behalf of the Union and to organise relief. It will prepare an annual report on its work, which will be communicated to the members of the Union and to the Council and Assembly of the League of Nations,

The Executive Committee will be assisted by experts whom it will appoint for one or more countries or for geographical zones including several countries, as it may decide in agreement with the members concerned. The experts, who must reside in the zones, will be summoned when their collaboration is deemed necessary. In the event of disasters they automatically become the official advisers of the Executive Committee for the organisation of relief. Such relief will be organised in each zone on behalf of the Union by the organisations provided for in the Convention.

*Funds of the Union.* — The expenses of the permanent and central services of the Union will be defrayed in the first place by the International Red Cross organisations so far as their means permit. Should these means prove insufficient, the Union may draw on the income from its initial relief fund and from its reserve. A levy of 1 per cent on all sums put at the disposal of the Union allows it in case of need to supplement its resources. The funds of the Union will be audited by the League of Nations, it being understood that the League assumes no responsibility thereby.

#### FINAL ACT

The Final Act of the Convention contains resolutions interpreting certain articles of the Statutes and Convention in regard to points of detail.

#### SIGNATURES

The Convention has up to the present been signed by eleven States : Belgium, Bulgaria, Colombia, Cuba, Danzig, Ecuador, Germany, Italy, Monaco, Poland and Spain.

. . . \* \* \*

In closing the Conference, the President expressed his thanks to Senator Ciruolo for the energy with which he had brought his work to a successful end. He concluded : "May the work which we prepared here subsequently extend beyond its original limits, which are those of a world association for assistance in case of disaster, and become a new instrument of mutual understanding and respect among all nations which are inspired by pacific ideals and work for the cause of peace."

### VIII. — Miscellaneous Questions.

#### DEATH OF KING FERDINAND OF RUMANIA

On July 20th, on the occasion of the death of King Ferdinand of Rumania, the Deputy Secretary-General of the League addressed to the Rumanian Minister for Foreign Affairs the following telegram :

In the absence of Sir Eric Drummond I should be grateful if you would communicate to Her Majesty the Queen and express to the Rumanian Government the respectful sympathy which we feel for Rumania in her loss. The friendly feelings which His Majesty King Ferdinand showed with regard to the Secretariat at the time of his visit to Geneva have left an ineffaceable memory and enable us to appreciate the extent to which his lofty personality strengthened the cause of world peace.

The Rumanian Minister of Foreign Affairs replied as follows :

I have not failed to communicate to Her Majesty Queen Mary the sympathy which you were so good as to express on behalf of the Secretariat of the

League of Nations. On behalf of the Rumanian Government and in my own name, I warmly thank you for the mark of sympathy addressed to the Rumanian nation in its bereavement, and for the words in which you recall the visit to Geneva of a Sovereign whose great qualities were placed, outside his own frontier, in the service of that ideal of peace for which the League is working.

### IX. — Forthcoming Events.

- August 19th : Meeting of the Advisory and Technical Committee for Communications and Transit, Geneva.
- August 22nd : Meeting of the Committee of Experts on Unification of Customs Nomenclature, Geneva.
- August 23rd : Third General Conference on Communications and Transit, Geneva.
- August 24th : Conference of Press Experts, Geneva.
- September 1st : Forty-Sixth Session of the Council, Geneva.
- September 1st : Meeting of the Financial Committee, Geneva.
- September 5th : Eighth Assembly of the League of Nations, Geneva.
- September 14th : Meeting of the Supervisory Committee, Geneva.
- September 19th : Interchange of Public Health Officers, Berlin.
- September 28th : Tenth Extraordinary Session of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs, Geneva.

# MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

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Communications concerning the *Monthly Summary* should be addressed  
to the Information Section, League of Nations, Geneva.

## I. — Summary of the Month.

AUGUST 1927

Two important Conferences were the principal features of the League's activity in August.

The Third General Conference on Communications and Transit, preceded by a short session of the Advisory Committee on Communications and Transit, opened on August 23rd and was still in session at the end of the month, the agenda including the question of identity papers for persons without nationality, the creation of centre of information on Transit questions and the revision of the Rules of Organisation and of the Rules of Procedure adopted at the Barcelona Conference (1921). Forty-one countries were represented, including four States not members of the League.

The Conference of Press Experts sat from August 24th to August 29th, framing recommendations with regard to technical and international problems of interest to the Press.

The Permanent Court of International Justice continued the hearings of its eleventh ordinary session.

The Governing Commission of the Saar Territory addressed to the Secretary-General its report for the second quarter of 1927.

## II. — The Permanent Court of International Justice.

### 1. — THE LOTUS CASE

From August 2nd to 10th, the Permanent Court of International Justice met in public session to hear the oral statements concerning the question of jurisdiction which had arisen between the French and Turkish Governments in connection with the collision of the steamers *Boz-Kourt* and *Lotus*.

The Court was composed as follows : M. Huber, President (Switzerland); M. Loder, former President (Netherlands); M. Weiss, Vice-President (France); Lord Finlay (Great Britain); M. Nyholm (Denmark); Mr. Moore (United States); M. de Bustamante (Cuba); M. Altamira (Spain); M. Oda (Japan); M. Anzilotti (Italy); M. Pessoa (Brazil), and Feizi-Daim Bey, sitting as Turkish National Judge.

At the beginning of the first hearing, the judge *ad hoc* appointed, in accordance with the terms of the Statute, by the Turkish Government to sit in the case, made the solemn declaration laid down by the Statute to exercise his powers impartially and conscientiously.

The French case was stated by M. Basdevant, assistant legal adviser to the Ministry of Foreign Affairs and professor at Paris University. Mahmout Essat Bey, the Turkish Minister of Justice, assisted by Professors Djemil Bey and Vely Bey, of Angora Law School, presented the Turkish case.

The written proceedings prior to the hearing of the oral statements included the filing by the parties of cases and counter-cases, and the filing by the Turkish Government of legal opinions given by M. Diena, of Pavia University, M. Fedozzi, of Genoa University, and Mr. Mercier, of Lausanne University.

This question, being of especial interest both to seafaring circles and specialists in international law, is here dealt with in some detail.

#### *The Facts.*

On August 2nd, 1926, at 11.40 p. m., a collision took place in the Aegean Sea about six miles from Cape Sighri (Mitylene), between the French S. S. *Lotus* of the *Messageries Maritimes*, and the Turkish collier *Boz-Court*. The *Boz-Court* sank and eight Turkish citizens who belonged to the crew or who were passengers on board, were drowned.

On August 3rd, the *Lotus* came into Constantinople, and, as soon as she arrived, the police went on board to interrogate the crew of the steamship and particularly Lieutenant Demons, a French citizen, first officer of the ship and officer of the watch at the time of the accident; they also examined the members of the crew of the *Boz-Court* who had been taken on board the *Lotus*.

The *Lotus* should have left on August 5th at 12 o'clock; Lieutenant Demons and three sailors were however, compelled to go ashore to be examined; Lieutenant Demons was kept under arrest.

As a result of this action brought by the families of the victims, the Turkish legal authorities commenced criminal proceedings both against Hassan Bey, a Turkish citizen, in command of the *Boz-Court* at the time of the collision, and against M. Jean Demons, a French citizen.

In spite of the representations of the French Government in regard to the case of Lieutenant Demons, the proceedings were continued.

Having made a request to be set at liberty upon recognizances, he obtained his freedom on September 13th on bail of 6,000 Turkish pounds. His imprisonment had lasted 39 days.

On September 15th the Turkish Criminal Court gave judgment. It affirmed its jurisdiction and, with regard to the merits, condemned Lieutenant Demons to two months and twenty days' imprisonment and to a fine of £22, and the Captain of the *Bos-Court* to four months' imprisonment and a fine of £33. The proprietary company was, by the same judgment, condemned to pay an indemnity of £5,000 to be distributed amongst the heirs of the victims. The prosecutor of the Turkish Republic having lodged an appeal against this decision, its execution was postponed, and Lieutenant Demons, who continued at liberty on bail, was able to leave Constantinople.

The French authorities, on the other hand, considering that the collision of the *Lotus* and the *Bos-Court*, in so far as it concerned the responsibilities involving the crew of the *Lotus*, came under French jurisdiction, had opened an enquiry; the result of the latter was that the Captain of the *Lotus* and Lieutenant Demons were completely exonerated from any responsibility with regard to the collision.

### *The Legal Controversy.*

In the meantime a dispute had arisen between the French and Turkish Governments as to whether the Turkish Courts had jurisdiction or not. The French Chargé d'Affaires at Angora had at the outset protested against the arrest of Lieutenant Demons, pointing out that as the collision had taken place outside Turkish territorial waters, the Turkish authorities had no power to institute criminal proceedings against the crew of the French vessel who were only subject to the jurisdiction of the French Courts in this respect.

In consequence of this and other representations on the part of France, the Turkish Minister for Foreign Affairs intervened with the judicial authorities of his country and the question was referred to a committee of Turkish jurists. This committee arrived at the conclusion that "both from the standpoint of the laws of the country and from that of the principles of international law, the jurisdiction of Turkish Courts in the case was beyond dispute", and the Government of the Turkish Republic held that the principle of the independence of the Courts forbade it to interfere with the course of justice.

The Turkish Government also said that, being convinced of the justice of its contention, it would not object to the reference of the conflict of jurisdiction to the Permanent Court of International Justice, should the French Government consider that the matter was one for arbitration.

Negotiations were then begun; they resulted in the drawing up of a special arbitration agreement which was signed at Geneva on October 12th, 1926, by M. Fromageot, on behalf of the French Government, and by Mahmout Essat Bey, Minister of Justice, on behalf of Turkish Government.

Article I of the special agreement is as follows :

The Permanent Court of International Justice shall be requested to decide the following questions :

1. Has Turkey contrary to Article 15 of the Convention of Lausanne of July 24th, 1923, respecting conditions of residence and business and jurisdiction, acted in conflict with the principles of international law — and if so, what principles — by instituting, following the collision which occurred on August 2nd, 1926 on the high seas between the French steamer *Lotus* and the Turkish steamer *Bos-Court* and upon the arrival of the French steamer at Constantinople — as well as against the Captain of the Turkish steamship — joint criminal proceedings in pursuance of Turkish law against M. Demons, Officer of the watch on board the *Lotus* at the time of the collision, in consequence of the loss of the *Bos-Court* having involved the death of eight Turkish sailors and passengers.

2. Should the reply be in the affirmative, what pecuniary reparation is due to M. Demons, provided according to the principles of international law, reparation should be made in similar cases.

*The Provisions under Discussion.*

The arbitration agreement refers to the Convention of Lausanne of July 24th, 1923, and more especially to Article 15 of that Convention. The passages which have been cited in the course of the proceedings before the Permanent Court of International Justice are therefore reproduced below.

This Convention contains a preamble in which the contracting States declare amongst other things that they are

Desirous of prescribing, in accordance with modern international law, to the conditions under which nationals of the other contracting Powers may settle in Turkey and Turkish nationals may settle in the territory of those Powers, as well as certain questions relating to jurisdiction.

Articles 15 and 17 of this Convention are as follows :

ART. 15. — Subject to the provisions of Article 16 (which deals with matters of personal status) all questions of jurisdiction shall, as between Turkey and the other contracting Powers, be decided in accordance with principles of international law.

ART. 17. — The Turkish Government declares that the Turkish Courts will ensure to foreigners in Turkey both as regards person and property, protection in accordance with international law and the principles and methods generally adopted in other countries.

It should be added that in the course of the proceedings the parties, and especially France, also cited the negotiations preliminary to the drafting of Article 15 at the Peace Conference of Lausanne in 1922-23.

The Agent for the French Government pointed out, taking as his basis the records of the Conference of Lausanne, that the Turkish Delegation at that Conference had tried to obtain the extension of the criminal jurisdiction of the Turkish Courts to cover crimes or offences committed abroad by foreigners to the detriment of Turkish citizens, but that the Powers, though abandoning their previous privileges, had refused to agree to this claim. It was partly on this ground that the Agent of the French Government argued that the application of Article 6 of the Turkish Penal Code of 1926, on which the Turkish Criminal Court based its jurisdiction in the case of Lieutenant Demons, was contrary to international law. This article 6 runs as follows :

When a foreigner commits against a Turk in a foreign country an act which involves, according to the provisions of the Turkish Penal Code, for its author an imprisonment of more than one year, such foreigner shall be judged by the tribunals and according to the penal laws of Turkey if he is found upon Turkish territory.

In this case proceedings cannot take place except upon the demand of the injured party or of the Minister of Justice.

*The opposing arguments.*

The arguments of the parties as contained in the available documents in the written proceedings and the oral statements may be summarised as follows :

*The French Argument.* — In accepting, by Article 15 of the Treaty of Lausanne, the abolition of capitulations in Turkey, the French Government and the other Contracting Powers definitely refused to accede to the request made by Turkey with the object of enabling Turkish tribunals to take cognizance of criminal prosecutions brought against foreigners for crimes or wrongful acts committed



abroad. Turkey is not at liberty to regulate the jurisdiction of her tribunals with regard to foreigners as she wishes; this jurisdiction must in all matters, according to Article 15 of the Treaty of Lausanne, be regulated in accordance with the principles of international law.

Now there are many precedents establishing the principle according to which acts committed on the high seas upon merchant-ships are not criminally justiciable by any other courts than those of the country the flag of which the ship flies. The collision between the *Boz-Court* and the *Lotus* took place on the high seas; any wrongful act for which a French citizen may have made himself liable upon a French ship on the high seas comes exclusively within the jurisdiction of French courts, the ship having to be considered as a part of the territory of the State the flag of which it flies.

This applies especially in the case of a collision, because, in that case, the wrongful act, if any, is as a rule affected by various circumstances calculated to affirm the jurisdiction of the national courts of the vessel, for the officer of the watch must faithfully observe regulations issued by the national authorities for the prevention of collisions, as no obligatory international regulations exist in this connection. This officer must also obey the orders of his captain or sometimes those of the owners of the vessel who are of the nationality indicated by the flag flown. To allow the judicial authorities of any country which might have certain interests at stake in a collision to claim jurisdiction would open the door to abuses. The Courts of the country whose flag the vessel flies will have at their disposal the fullest and most reliable information, and provided that the national courts have jurisdiction, there is no danger of an offence being committed with impunity. This principle moreover is so generally accepted that very few cases are to be found in which it has been disputed. It often happens that a civil action or an action for compensation in collision cases is brought before courts other than the national courts of the vessel responsible for the collision; but such cases do not constitute precedents for criminal proceedings.

Moreover, recognition of the criminal jurisdiction of the Turkish Court would automatically imply that the French Courts had no jurisdiction, and this would be inadmissible.

The claim by Turkey to localise the collision on the ship that was sunk is in contradiction to authoritative opinions expressed on many previous occasions, and the jurisdiction of Turkish tribunals cannot be inferred from such an argument. If the officer of the watch on the *Lotus* was guilty of a negligent act—for instance a false manœuvre—he could only have committed it on board his own ship, that is, on French territory.

Nor is the Turkish argument, claiming that the wrongful act of which the officer of the watch on the French ship is accused is so closely connected with the wrongful act of the captain of the Turkish ship as to make them inseparable (*délit connexe*), sufficient to justify the intervention of the Turkish tribunals in the case of Lieutenant Demons, because international law does not contain any rule extending the criminal jurisdiction of a State on the ground of the close connection between offences.

Again, international law does not uphold the jurisdiction of the country of the victim as regards the repression of crime or wrongful acts committed in foreign territory by foreigners. Even if the legislation of some countries claims jurisdiction in such cases, such a claim is not sanctioned by the consent of civilised nations; it is, on the contrary, contradicted by all the most important precedents.

Turkey had thus no right to exercise jurisdiction as against Lieutenant Demons. The proceedings taken against him were illegal and the injury done to him, both by his imprisonment and by his conviction, requires that he should be granted damages.

The French Government asks the Court to declare that Turkey has acted in contradiction to the principles of international law and of Article 15 of the Con-

vention of Lausanne. It also asks that an indemnity of £6,000 (Turkish) should be paid as damages for the injury suffered by Lieutenant Demons.

*The Turkish Argument.* — Article 15 of the Convention of Lausanne—forming part of the peace settlement which abolished the capitulations in Turkey,—lays down that questions of jurisdiction between Turkey and the other contracting Powers are to be settled in accordance with the principles of international law; this article must not be restrictively construed. Turkey's jurisdictional activities would be paralysed, were she compelled, whenever she took a certain step, to refer to a principle of international law upon which such step could be based. The meaning of Article 15, on the contrary, is that Turkey may in this domain take any steps she may see fit, provided that they are not contrary to a principle of positive international law. In the *Lotus* case, it therefore rests with France to show that Turkey has infringed certain duly established rules of international law; it is not for Turkey to prove that there are rules justifying her action.

There is, moreover, no rule of international law which can be cited to refute the jurisdiction of the Turkish Courts in the *Lotus* case. No such rule exists in regard to the repression of offences committed on the high seas. On the contrary, the law of various States differs considerably in this domain, and also as regards jurisdiction over foreigners.

Some countries have embodied in their legislation in various forms the principle of protection of criminal cases, which involves the extension of the jurisdiction of the national courts to foreigners for acts committed abroad to the detriment of nationals. Article 6 (1) of the Turkish Criminal Code, which is cited in the judgment of the Turkish Criminal Court in order to establish its jurisdiction in the case of Lieutenant Demons, is an example of the application of this principle of protection. Article 6 is moreover taken word for word from the Italian Criminal Code, which dates from 1889 and has given rise to no objections on the part of other Powers. Simply because France has not thought fit to adopt in her legislation the principle of the protection of her nationals outside her territories by the extension of the jurisdiction of her Courts, she is not justified in saying that the application of this principle is contrary to international law. Every country is free to adopt the system of protection or that of territorial jurisdiction. To prevent Turkey from acting in such a matter in accordance with her own laws would therefore be tantamount to a failure to respect her sovereign rights.

The Permanent Court of International Justice has not to interpret Article 15 of the Convention of Lausanne. The terms of the arbitration agreement confine the Court's task to saying whether in this case, Turkey has acted contrary to the principles of international law and if so, to which principles. But there is no generally accepted principle which would prevent the prosecution of Lieutenant Demons, nor is there any contractual engagement towards France calculated to forbid such prosecution. Though Turkey, who has recently been added to the category of States with sovereign rights of jurisdiction, is ready to fulfil all the obligations she has accepted, she cannot consent to being asked to do more.

The Turkish Government also submitted the following arguments in support of its contention :

In the *Boz-Court* — *Lotus* case, the place where the offence took place must be considered to be the vessel *Boz-Court* which was flying the Turkish Flag. Vessels on the high seas constitute a part of the territory of the country whose flag they fly, and therefore the jurisdiction of the Turkish Courts is clear.

The *Boz-Court*—*Lotus* case is moreover a case of closely connected offences (*connexité*). The Turkish Code of Criminal Instruction, which resembles the French Code, contains for such cases provisions under which, since the Turkish officer had

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(1) See above.

to be prosecuted before the Turkish Courts, the principle of *connexité* rendered the prosecution of the French officer necessary.

Even if the question be considered solely from the point of view of the collision, there is no principle of international criminal law which is opposed to the jurisdiction of the Turkish Courts.

Turkey therefore asks the Court for judgment to the effect that she was within her rights in prosecuting the French citizen Demons who, as a result of bringing his ship into collision had been guilty of manslaughter by negligence; Turkey also asks the Court to dismiss the French claim for an indemnity made on behalf of Lieutenant Demons.

*The Precedents.* — In support of their arguments the two Parties quoted and commented upon the teachings of a large number of writers on international law concerning collision cases, offences committed on the high seas, extra-territorial jurisdiction, etc.

It was observed on the French side that certain provisions of various international conventions (concerning fishing in the English Channel and in the North Sea, the suppression of the slave trade, the protection of submarine cables, etc.) might serve to indicate the tendency of positive international law as regards criminal jurisdiction over acts performed on the high seas.

The proceedings of the Committee of Experts set up by the League of Nations for the progressive codification of international law were cited. This Committee held that the question of criminal jurisdiction over foreigners was not yet ripe for codification. The Turkish Agent deduced from that circumstance that the Committee held that there were no rules on the subject, whereas the French Agent regarded it as merely showing that no complete body of rules existed capable of codification.

Lastly the parties also cited various precedents and some interesting discussions have arisen in connection with some of these. Below is given a short summary of the chief precedents mentioned and a brief analysis of the arguments deduced by the parties.

*The Franconia Case.* — In 1876 the German ship *Franconia* collided with the British ship *Strathclyde*, causing the death of a man on board the latter. This incident, which took place in the British territorial waters, ended with a judgment, often cited, by which the British Court for Crown cases decided that British Courts had no jurisdiction for criminal proceedings against the captain of the *Franconia*, the latter being subject to the jurisdiction of the Courts of the State whose flag his ship was flying. This judgment was accompanied by arguments which were analysed at length before the Permanent Court of International Justice by the agent of the French Government, who established an analogy between this case and that of the *Lotus*.

The Turkish agent replied that Great Britain had herself recognised the irrelevancy of this judgment, as, by the Territorial Waters Jurisdiction Act of 1878, British Courts were empowered to deal with incidents which, like the collision in question, had taken place in British waters.

To this the French agent rejoined that the fact mentioned did not decrease the value of the *Franconia* case as a precedent for the *Lotus* case, the latter incident having taken place on the high seas, a circumstance which was not dealt with by the Act of 1878.

The Turkish agent further observed that the British judges had considered the question solely from the point of view of internal jurisdiction and not in its bearing on international law. The decision regarding legal jurisdiction had been reached by a majority of one vote only.

*Case of the Costa Rica Packet.* — In 1888, the captain of a British vessel, the *Costa Rica Packet*, unlawfully appropriated goods found by him on the high seas

on board an abandoned *prauw* belonging to natives of the Dutch East Indies. When, three years later, the vessel entered a Dutch East Indian port, the captain was arrested and proceedings were begun against him by the judicial authorities of the colony. A claim made by the British Government against the Dutch Government, in consequence of this action, was referred to Dr. de Martens, a Russian jurist, for arbitration. The British Government objected that the Dutch Courts had no jurisdiction, on the ground that acts performed on the high seas, under the British flag, were exclusively subject to British authority and British law. It also invoked the principle that a State has no jurisdiction over acts performed outside its territory. It added that this principle also applied to acts performed on the high seas and that, on a ship on the high seas, no person is amenable to the jurisdiction of any courts other than those of his own country or of the country whose flag the ship is sailing under.

The Dutch Government for its part based its claim that its courts had jurisdiction on the fact that the wrongful act had been performed on board the Dutch *prauw*, i.e., in Dutch territory.

The arbitral award of Dr. de Martens, which was given in 1897, was in favour of the British Government.

The French Agent, in quoting this precedent before the Permanent Court of International Justice, laid stress on the fact that the arguments of both parties were based on the principle that jurisdiction belonged exclusively to the courts of the country whose flag was flown by the vessel concerned.

He pointed out that in this case the localisation of the offence was less clearly established than in the *Lotus* case, that there might be some doubt as to whether the wrongful acts took place on the ship or on the *prauw* and that the fact that the arbitrator had given his decision in favour of the exclusive jurisdiction of the courts of the country whose flag was flown by the vessel commanded by the accused person tended still further to bear out his contention.

The Turkish Agent for his part observed that the award given in the case of the *Costa Rica Packet* had been very much criticised by writers from the standpoint of international law. He also said that he did not see what connection there could be between a collision case like that of the *Lotus* and a case of the seizure of goods on board a derelict.

*The Ortiglia—Oncle Joseph collision case.* — In 1880 a collision took place in the Mediterranean, off Spezia, between the Italian vessel *Ortiglia* and the French vessel *Oncle Joseph*, resulting in the loss of the latter and the death of more than 200 persons on board.

The case was submitted to the Leghorn court, which sentenced the captain of the French vessel, a French citizen, to four months' imprisonment, two months' suspension from his rank and to damages in respect of the private claims joined to the prosecution. The accused appealed and this decision was confirmed by the Court of Florence.

This precedent was cited by the Turkish Agent to show the analogy between this case of a French citizen tried by an Italian Court for an act of which the victims had been Italians, and the case of the French citizen Demons, prosecuted in Turkey for an act which had inflicted injury upon Turks.

The Agent of the French Government pointed out that the information furnished by his opponent did not make it possible to decide whether the question of international law had been clearly grasped by the Italian judges, and was insufficient to explain how it was that the Italian authorities had been able to suspend the accused person from his rank and from exercising the functions of captain in the French merchant service, which suspension was a disciplinary matter exclusively concerning that service and could only be pronounced by the authorities of the country whose flag was flown by the vessel concerned. He also recalled that the jurisdiction which the Court of Leghorn and the Court of Florence had claimed

in this the case had been positively and deliberately denied by the Court of Appeal of Aix. The latter had held "that the judgments of Italian Courts could have no effect in France and that in particular they could not serve as a basis for the acceptance of a plea of *res judicata* unless given by a judge who had jurisdiction". The Court of Aix further decided that the alleged offence having been committed on the high seas, under the French flag, the captain of the French vessel was not subject to the jurisdiction of the Court of Leghorn, notwithstanding article 435 of the Italian Merchant Marine Code which was only applicable to ships and sailors of that country.

*Case of the Westhinder.* — In December, 1912, the Belgian Lightship *Westhinder*, which was moored out at sea off Ostend, was run into by the lighter *Minnie*, which was being towed by the German steamship *Ekkatana*. The *Westhinder* sank and ten men on board were drowned. Proceedings were taken and the *Tribunal correctionnel* of Bruges decided that it had jurisdiction to deal with the case in spite of the plea to its jurisdiction filed by the captain of the German vessel.

The Agent for the Turkish Government, in citing this judgment, pointed out that it declared that in this case both the Belgian and German Courts alike had jurisdiction (*ratione loci*), as the offence comprised two essential and inseparable features (act of negligence on board the *Ekkatana* and death of the crew on board the *Westhinder*) one of which was localised on the Belgian lightship, i.e. Belgian territory.

The Agent for the French Government, for his part, laid stress on the fact that the judgment of the Court of Bruges was partly based on the argument that the vessel which was the victim of the collision was not an ordinary ship, that is to say, it was not a merchant vessel traversing the seas and on an equal footing with others, but was, on the contrary, a lightship ensuring a Belgian public service. In this special case there was, in its view, a stronger ground for jurisdiction than would have been afforded by the running down of an ordinary merchant vessel on the high seas, since this lightship, placed there by the Belgian State in the interests of the safety of shipping, might be regarded as an extension of Belgian territory, especially since its installation had been notified to other countries through diplomatic channels.

*The Cutting case.* — Cases of a different nature from those above-mentioned were also cited, amongst others certain cases relating to offences committed by foreigners abroad, and, in particular, the well-known *Cutting Case*.

The facts were as follows. In 1886, Mr. Cutting, an American citizen, had been criminally prosecuted in Mexico for an offence committed in the territory of the United States of America, consisting of a publication in the press directed against a Mexican national. The prosecution was based on Article 106 of the Mexican Criminal Code. The United States Government categorically denied the jurisdiction of the Mexican courts, saying that they considered that the safety of American citizens and of all persons lawfully residing on American territory would be seriously affected if a foreign nation were able to punish acts performed within the jurisdiction of the United States. Although the Mexican Courts dropped the case, and Cutting was released after the plaintiff had abandoned the prosecution, President Cleveland, in his annual message of December 6th, 1886, thought fit publicly to state the standpoint of the American Government, which regarded Mexico's pretension as an attempt to invade the jurisdiction of the United States, and unwarranted by the principles of law and international usages. A long controversy took place between the two Governments on the subject. It was terminated by the conclusion, in 1899, between the United States and Mexico of an extradition treaty by which each contracting party undertook not to assume jurisdiction in the punishment of crimes committed exclusively within the territory of the other, except in the case of embezzlement or criminal malversation of public funds.

The French Government, in citing this case, pointed out the analogy which existed between it and the application of Article 6 of the Turkish Criminal Code in the *Lotus* case. The Turkish Government replied that this case did not possess the importance attached to it by its opponent and that, though admitting the weight of America's opinion as being that of a great country, it could not agree that that opinion must be accepted by States which held different views. Analysing the outcome of the case, the Turkish Agent also expressed the opinion that the exception made in the case of malversation of public funds undermined the very basis of the principle maintained by the United States Government and that consequently the Cutting Case was a precedent much more favourable to Turkey than to France.

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The Court withdrew to consider its judgment, an analysis of which will be published in the next number.

## 2. — COMPOSITION OF THE COURT (1)

M. Weiss, the Vice-President and M. de Bustamante, ordinary judge, having informed the President of the Court that the state of their health will not allow them to continue to sit after judgment has been given in the *Lotus* case, the President, in accordance with the rules in force, has summoned M. Beichmann and M. Negulesco, deputy-judges, to sit for the latter part of the session (1).

For the appointment of a Greek judge *ad hoc* see the July Monthly Summary.

## 3. — THE MAVROMMATIS CONCESSIONS (READAPTATION) (1)

The British Government, on August 11th, filed a preliminary objection denying the Court's jurisdiction to deal with the suit brought by Greece.

The time-limit for the filing of the Greek Government's observations upon the objection was fixed at August 26th, by agreement with that Government's agent.

On that date, the Court decided to include the case in the list for this session, and to fix the hearings to begin on September 8th.

## 4. — JURISDICTION OF THE EUROPEAN COMMISSION OF THE DANUBE (1)

The Roumanian Government having asked for a further extension of the time allowed for the submission of its reply to the observations of the other interested Governments, the Court has decided, finally, to fix September 15th, 1927, as the date of expiration of that time and to begin the hearings on October 6th.

## 5. — INTERNATIONAL AGREEMENTS RELATING TO THE COURT'S JURISDICTION (1)

The Governments of the following countries, in addition to those mentioned in the *Monthly Summaries* of June and July, have sent to the Registry their replies to the circular letter of March 24th : Siam, Sweden, New Zealand and Czechoslovakia.

The total number of replies received is now twenty.

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(1) This article has been compiled on the basis of information furnished by The Registry of the Court.

### III. — Legal and Constitutional Questions.

#### 1. — INTERNATIONAL ENGAGEMENTS

##### a) *Registration.*

Among the treaties and international agreements registered with the League in August figure :

A Treaty of Commerce with final Protocol signed in Prague on May 31st, 1927, by Hungary and Czechoslovakia, registered at the request of the latter. To this Treaty are annexed five Conventions, dealing with the legal treatment of transport and production undertakings, railway traffic, local frontier traffic, certain customs questions, and trade in cattle and animal products;

A Treaty of Commerce and Navigation (Riga, August 9th, 1924), between Austria and Latvia, registered at the request of both Contracting Parties;

An additional Convention to the Treaty of Commerce and Navigation of April 3rd, 1911, between Great Britain and Japan, registered at the request of Japan.

Agreements between Germany and Poland, registered at the request of the latter, regarding the administration of that part of the Oder which constitutes the frontier between the two countries, the suppression of the joint hydraulic administration in Upper Silesia, customs and passports formalities at Korzeniow and the railway traffic at that station.

##### b) *Adhesions, Ratifications, etc.*

*The International Convention for the Suppression of the Trade in Obscene Publications* (Geneva, September 12th, 1923), has been ratified by Luxemburg subject to reservation.

*The Protocol on Arbitration Clauses in Commercial Contracts* (Geneva, September 24th, 1923), has been signed by Danzig.

*The Anti-Slavery Convention* (Geneva, September 25th, 1926), has been ratified by Austria.

### IV. — Technical Organisations.

#### 2. — THE ECONOMIC AND FINANCIAL ORGANISATION

##### *Tariff Nomenclature.*

The Sub-Committee of Experts on Tariff Nomenclature met at Geneva from August 22nd to September 1st.

The Economic Conference has stated its opinion that a fixed nomenclature for goods subject to customs duties was an essential condition of equity in their application and ease in their collection. It also came to the conclusion that such nomenclature would constitute a favourable basis for the improvement of trade statistics. The Conference further recommended that the Council should take the initiative in drawing up an appropriate procedure for establishing, in liaison with the producing and commercial organisations concerned, a systematic customs nomenclature in accordance with a general plan covering all classes of goods.

At its extraordinary session in July, the Economic Committee decided that the most suitable method of preparing the unification of customs nomenclature was to appoint a committee of customs experts to study the matter. The mandate of this committee was clearly defined and consisted of an examination of the various principles upon which the general framework of a tariff might be based and of making suggestions as regards the further study of the question without losing sight of the necessity of calling in the assistance of the economic circles concerned. The Economic Committee further specified that the experts should take account of the principles arising out of certain resolutions voted by the Economic Conference, as regards not only the unification of nomenclature, but also the simplification of customs tariffs.

At their first session, the experts had at their disposal not only their own general information as regards customs tariffs, but also very complete memoranda prepared by M. Trendelenburg, M. di Nola, and M. Paci, and two other documents on the classification of commercial statistics established in 1913 by the International Convention on Commercial Statistics (Brussels), and on the classification of industries adopted by the International Conference of labour statisticians in October 1926.

They first of all endeavoured to determine the principles according to which the new nomenclature should be drawn up in order to meet the requirements of the Economic Committee. They recognised that it was necessary

1. that this nomenclature should be simple;
2. that it should have a logical and, as far as possible, a scientific basis;
3. that, in classifying products and articles, account should be taken of the labour involved in their production;
4. that all products of the same kind should be grouped as far as possible in the same section or in the same chapter.

On the basis of these four principles, which the experts applied in the course of their work with certain modifications made in the interests of clearness and simplicity of customs nomenclature, they drew up a standard framework, endeavouring to show under what chapters the various categories of goods should figure. In so doing they took account of the tariffs of countries whose industrial development is very great.

This draft nomenclature is a preliminary stage of a more important investigation which will follow. Meanwhile, the Sub-Committee of Experts considered that the framework established should undergo a practical test, to consist in regrouping according to these chapters, the German, Belgian, French, Italian and Czech tariffs. This experiment will probably show on what points modifications are necessary, and it is only after its completion that the Sub-Committee will be able to continue its work and undertake the examination of the following points :

The selection of categories of products or goods in regard to which the unification of customs nomenclature may most easily be achieved; method and procedure, particularly as regards consultation of customs administrations and the trade and industrial associations concerned; methods to ensure that the creation of a unified nomenclature shall contribute to simplifying rather than complicating tariffs.

The following took part in the work of the Sub-Committee :

M. Fafl (Czechoslovakia), Secretary of the Chamber of Commerce in the Ministry of Commerce at Prague.

M. Fighiera (France), Director of Commercial and Industrial Affairs in the Ministry of Commerce, Paris.

M. Flach (Germany), Privy Councillor in the Ministry of Commerce.



M. Magnette (Belgium), Inspector General in the Ministry of Finance, Brussels.  
M. Paci (Comm. Gr. Off.) (Italy), Chief of the Technical Customs Office in the Ministry of Finance, Rome.

### 3. — COMMUNICATIONS AND TRANSIT

#### a) *Third General Conference on Communications and Transit.*

The third General Conference on Communications and Transit met at Geneva on August 23rd with M. de Aguero y Bethancourt (Cuba) in the chair.

The Conference was attended by representatives of Austria, Belgium, British Empire, Canada, China, Colombia, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Germany, Greece, Hungary, India, the Irish Free State, Italy, Japan, Latvia, Lithuania, Luxemburg, Netherlands, Nicaragua, Norway, Panama, Poland, Portugal, Rumania, Salvador, the Kingdom of the Serbs, Croats and Slovenes, Siam, Sweden, Switzerland, Turkey, the United States of America, Uruguay, and Venezuela — in all, forty-one countries, including four States not Members of the League. There were further present representatives of the Saar Governing Commission, and the Free City of Danzig; delegates of international organisations taking part in the Conference in an advisory capacity, such as the International Elbe and Oder Commissions, the International Railway Union, the International Central Railway Transport Office, the International Technical Committee of Legal Experts for Air Navigation, the International Chamber of Commerce and the International Federation of Transport Workers; and certain experts appointed by the Committee on Communications and Transit.

The President of the Conference, after welcoming the delegates, drew attention to the fact that for the first time the United States of America were taking a share in the work of the Organisation in connection with the collection and exchange of general information on communications and transit and expressed his satisfaction that the United States Government had sent such a distinguished delegation to the Conference. As at the Second Conference, the Turkish Republic was represented by experts in the problems to be discussed. Egypt and Ecuador were also represented. The Union of Socialist Soviet Republics had informed the Secretary-General that it had been reluctantly obliged to abandon the idea of being represented at the Conference, but that any communication informing the Government of the Union of the results of the Conference's work would be received with all the appreciation and interest which the questions on the agenda demanded.

The Conference then took note of its agenda and set up three Committees to study :

1. The question of the collection and exchange of general information on communications and transit. Chairman : Mr. Hugh R. Wilson (United States).

2. The question of identity documents for persons without nationality. Chairman : M. de Ruelle (Belgium).

3. The revision of the Rules of Organisation and the Rules of Procedure of the Organisation on Communications and Transit. Chairman : M. Guerrero (Salvador).

The Conference decided to discuss in plenary session the other items on the agenda, namely, the report of the Committee on Communications and Transit on the work done since the last General Conference, and the report of the Secretary-General on the measures taken to give effect to the decisions of former Conferences.

An account of the work of the Conference will be published in the next number.

#### b) *Eleventh Session of the Advisory Committee.*

The Committee on Communications and Transit met at Geneva from August 19th to August 22nd, with M. de Aguero y Bethancourt, Minister of Cuba in Berlin and Vienna, in the chair.

On the agenda figured questions relating to communications of importance to the League in times of emergency, calendar reform, transit cards for emigrants and the examination of the yearly report of the Memel Harbour Board.

1. *Communication with Geneva in times of emergency.* — From the replies of the various Governments to which the Committee had submitted the results of its preliminary study of the question of communication with Geneva in times of emergency, it would appear that no objection has been raised to the measures envisaged by the Committee and approved by the Council in December.

The enquiry has, moreover, progressed since December. The Committee's investigations bore, in particular, on the identification of aircraft on service concerning the League in times of emergency and accordingly entitled to special facilities; and on the equipment of a landing ground for aircraft near Geneva and offering adequate guarantee for all the League's requirements at times of emergency.

Other studies concerned the identification of persons entitled to the transport and communication facilities in question; conditions for the flight in transit of aircraft doing service for the League; and arrangements for placing at the disposal of the League at times of emergency such aircraft as is might need.

The Committee also examined the possibility of establishing a wireless telegraph station at the seat of the League. It was of opinion that in the event of a general international crisis, in particular, immediately before and during the actual period of mobilisation, the total or partial taking over by the State of means of communication must inevitably affect communications of importance to the League, despite the successful application of the measures contemplated by the Council. It accordingly contemplated the necessity of ensuring communication with the League by special means, independent of the general system of national communications.

Taking account of suggestions put forward by various Governments, the Committee will later submit to the Council a complete table of the measures proposed, in order that full use may be made, in times of emergency, of the general system of communications by rail, air, wire and wireless.

2. *Calendar Reform.* — The Committee decided to invite the authorities and organisations concerned to furnish it with all necessary information as to what action might be taken on the recommendations of the Committee on Calendar Reform, in particular, on a proposal to form national committees for the purpose of familiarising public opinion with the idea of a reform of the calendar.

3. *Transit Cards for Emigrants.* — The Committee noted replies from various Governments, which were nearly all in favour of the establishment of transit cards for emigrants. It requested its Chairman to take the necessary measures with a view to the conclusion of an agreement (a draft has already been prepared by a Committee of Experts and communicated to Governments), should further replies confirm that most Governments were ready to cooperate in it.

4. *Annual Report of the Memel Harbour Board.* — The Committee noted the annual report of the Memel Harbour Board for 1926, which it examined in the presence of M. Kjelstrup, the member of the Harbour Board appointed by the Committee on Communications and Transit.

The report shows that the import and export traffic in the Port of Memel tended to increase during the past year. A considerable number of works were undertaken, and the port was put in normal working order. Revenues were approximately equal to those of the past year and expenses were reduced by one third.

This report is the first to be unanimously adopted by the Members of the Board, and adopted without reservation by the Member appointed by the League.

The Committee took note of a statement made by M. Kjelstrup to the effect that the work of the Harbour Board and Administration was developing satisfactorily.

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The Committee adopted the report of its Road Traffic Committee and also dealt with a certain number of administrative questions.

### c) *Combined Transport.*

The first session of the Sub-Committee on Combined Rail and Air Transport was held at Geneva on August 8th and 9th.

The Sub-Committee noted that there appeared to be no insuperable obstacle to the organisation of combined rail and air transport with a single transport document for the whole journey. It asked the International Railway Union and the International Air Traffic Association for additional information as to the conditions governing the establishment of such a document.

Considering, nevertheless, that the introduction of a single transport document might take some time, the Sub-Committee recommended in the meantime the general adoption, subject to slight modifications, of a system now being introduced in Germany. According to this system the sender enters into one contract only, and that with the air transport company, which, in its turn, acts as transport agent, and concludes secondary contracts with the other transport companies.

The meeting was attended by M. Niemack, Adviser to the German Ministry of Public Works; M. G. Ripert, professor at the Paris Law Faculty; M. van den Berch van Heemstede, of the International Air Traffic Association; Major Wronsky, of the Lufthansa; M. Renard, of the International Chamber of Commerce; Mr. Woods Humphrey, of the Imperial Airways Ltd., and M. Pourcel, of the International Railway Union.

## V. — Administrative Questions.

### THIRTIETH REPORT OF THE SAAR GOVERNING COMMISSION

The Saar Governing Commission has forwarded to the Secretary-General its thirtieth report, dealing with its work and the situation in the Saar Territory during the second quarter of 1927.

The Report, which is summarised below, draws attention to the fact that Sir Ernest Wilton (British) succeeded Mr. Stephens (Canadian) as member and Chairman of the Commission on June 20th.

#### *Organisation of the Railway Commission and the Railway Defence Force.*

In accordance with the Council resolution of March 12th, 1927, the Governing Commission has organised a Railway Commission and a Railway Defence Force. The French military force known as the "Saar Garrison" has been disbanded, a dragoon regiment and two battalions of the French 153rd Foot having been evacuated.

On June 12th the number of French soldiers in the Territory did not exceed 800. At the same time, the Governing Commission engaged negotiations with the Powers occupying the left bank of the Rhine with a view to the constitution in the

Territory of a Railway Defence Force of 800 men. The French Government agreed to furnish 630 men, the British Government 100, and the Belgian Government 68. The Belgian and British contingents entered Saarbruck on July 17th.

The present forces at the disposal of the Governing Commission therefore comprise : (1) a Railway Commission not exceeding a hundred men, including officers, and (2) a Railway Defence Force of 800 men, composed of a French battalion, a British company, and a Belgian detachment. The Governing Commission has approved the design of a badge to be worn by the personnel of the Railway Commission and the Railway Defence Force when on service.

*Economic and Social Situation.* — The Governing Commission examined the question of the prolongation of the Franco-German agreements with regard to commercial operations in the Saar Territory, which expired on June 30th, and approached the French and German Governments with a view to securing recognition of the interests of the Territory during their negotiations.

The present situation as regards the sale of the products of the Saar coal industry is a matter of some concern to the Commission, as there were several days of unemployment in April, May, and June.

#### *Political Situation.*

The Advisory Council held two plenary sessions, on April 13th and June 2nd, in the course of which the elected representatives of the population gave their opinion on a certain number of points. The Technical Committee also met to advise on the same subjects.

#### *Administration.*

1. *Department of Internal affairs.* — The housing control has been abolished in twenty-three communes where there is no longer a shortage. It has, nevertheless, not yet been possible finally to repeal the decree on the subject, and the Commission has prolonged it until October 31st, 1927.

To render possible a stricter supervision of persons from outside the Territory attending festivities or public meetings in the Territory, either alone or in groups, such persons are now obliged to obtain authorisation to enter the Territory.

The municipal elections of Dudweiler, which took place on June 19th as a result of the dissolution of the Municipal Council, produced a communist majority.

#### 2. *Finance.*

a) *Budget.* — The Budget for 1927 shows the following figures :

Revenue . . . . .	403.232.037 <sup>f</sup>
Expenditure . . . . .	403.034.456
Balance . . . . .	<u>197.581<sup>f</sup></u>

b) *Audited Accounts for 1925 :*

Revenue . . . . .	299.724.901 <sup>f</sup>
Expenditure . . . . .	278.746.770
Surplus . . . . .	<u>20.978.131<sup>f</sup></u>

The surplus, which is mainly due to the inclusion in the budget of the surplus of 1921 and 1922, of 18,207,917 frcs, has been included in the revenue for 1927.

3. *Economic Questions.* — The cost of living, which had fallen considerably from October, 1926 to May, 1927, rose again slightly in June. This increase does not give ground for apprehension as it is normal for the season.

4. *Labour.* — The labour market, on which conditions were improving towards the end of March, showed further signs of improvement during the second quarter. The number of unemployed fell from 3,582 at the beginning of April to 2,000 at the end of June.

In the mines, the dearth of markets resulted in nine days of unemployment. A strike broke out in the finishing industry on April 27th. It was caused by a reduction of wages and affected eighteen undertakings. On May 7th, all industrial undertakings with few exceptions proceeded to a lock-out. Thirty firms and 7,022 workers were involved in the conflict. Work was resumed on June 7th as a result of negotiations.

5. *Public Works.* — (a) *Navigation.* — The navigation statistics for the first quarter of 1927 were 157,781 tons downstream and 126,790 tons upstream.

(b) *Post and Telephone Service.* — The appreciation of the currency made it possible for the exchange of money orders and consignments for reimbursement to be resumed or reorganised between the Saar and Austria, Belgium, Italy, the Netherlands, Sweden, and Switzerland, in accordance with the general provisions of international agreements. The new telephone line Saarbruck—Berlin was opened on April 15th.

6. *Justice.* — The Commission has framed a draft decree amending the Criminal Investigation Code. This decree is based on a recent German law and has to be submitted to the elected representatives for their opinion. Its object is, generally speaking, to strengthen the guarantees provided by the law for persons under arrest.

7. *Education.* — The tendency since the war in various countries, particularly in France and Germany, in favour of a general educational reform, has also manifested itself in the Saar Territory. In order to unify education, the primary school with a four years' curriculum has been made the standard school of the Territory. The preparatory schools for higher educational establishments have been suppressed.

The higher schools were transformed into "Reformrealgymnasium" several years ago. The curriculum includes a first stage of three years with French as foreign language, followed by two alternative courses—the "Realgymnasium" with French, English, Latin and mathematics, and a course including instruction in French, English, mathematics and natural science. There are twenty-three of these schools, and special courses have been arranged in certain districts in which children may experience difficulty in attending the higher schools. Finally, special institutes, the so-called "établissements régionaux d'études", have been founded for pupils who have attended a primary school for seven years and wish to prepare for the University.

The Saar Administration sent a certain number of teachers to the Rhine provinces to study new methods of teaching adopted in Germany. On their return, the teachers gave a series of lectures which served as a basis of discussion for the teaching personnel in the higher schools.

The Education Department is deeply interested in the spread of knowledge on the League of Nations, and in May, 1927, addressed to the teaching staff a second circular on the subject. In 1926, it had been decided to send a certain number of professors and teachers of all categories to attend the international courses organised at Geneva.

8. *Public Health.* — Arrangements have been made for the transformation and enlargement of certain hospitals; a maternity hospital, a nurslings' home and a convalescent home for children have been founded.

9. *Agriculture and Forests.* — To meet the requirements of agricultural circles, the Commission has prolonged the time-limit for the reimbursement of advances previously granted, and has provided certain facilities for persons who have contracted loans to finance their undertakings.

## VI. — Miscellaneous Questions.

### CONFERENCE OF PRESS EXPERTS

The Conference of Press Experts convened by the Council met at Geneva from August 24th to August 29th with Lord Burnham in the chair.

The Conference was attended by sixty-three experts, twenty assessors and thirty-five technical advisers, from thirty-eight countries, members and non-members of the League, representing not only the different continents, but also the various categories of press interests — newspaper, proprietors, news agencies, press bureaux and journalists. Its debates resulted in the adoption of resolution which cover a very large part of the technical work of the press.

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The Conference of Press Experts originated in a resolution adopted by the Assembly in 1925 on the proposal of M. Yanez (Chile). On that occasion the Assembly invited the Council to consider the desirability of convening a Committee of Experts representing the Press of the different continents for the purpose of (1) enquiring into means of ensuring more rapid and less costly transmission of Press news with a view to reducing the risks of international misunderstanding; (2) discussing all technical problems the solution of which, in the opinion of experts, would be conducive to the tranquillisation of public opinion in various countries.

When this question came before the Council, that body was guided by two principles not to interfere in the affairs of the Press and to interest itself in them only if the press associations themselves considered its assistance valuable. It decided, as a first step, to enquire of the Associations concerned, whether the convocation of a Committee of Experts was opportune and instructed the Secretary-General to organise this consultation.

The press groups of some thirty countries replied to the Secretary-General's enquiry, several formulating concrete suggestions for the programme of work, which served as a basis for a provisional agenda.

The Council examined these replies and decided that the summoning of a Committee of Experts was opportune.

The programme of work then remained to be established. The Council requested the Secretary-General, to enlist the co-operation of those interested, and suggested, as a means of so doing, that several preparatory committees, composed of persons connected with the different sections of the Press, such as directors of the telegraph agencies, heads of Press bureaux and journalists should meet at Geneva.

These preparatory meetings were held during 1926 and at the beginning of 1927. Technical problems of an international character concerning the Press, to which attention had been drawn during the general consultation of Press organisations, were examined successively, and all that remained was to draw up for the Conference an agenda based on the results of this work.

In these circumstances the Council, in March 1927, decided to summon the Conference of Press Experts for August 24th at Geneva, appointing as President Lord Burnham.

The work of the Conference bore upon Press telegraph, telephone and wireless rates; the coding of Press messages; the improvement of communications, the transport of news papers, postal subscriptions to newspapers, the protection of news; professional facilities for journalists (travel tours, reduction of fares, passport visas identity cards, equality of treatment for foreign journalists, etc.); censorship in peace-time; regional Press understandings, etc.

The text of the resolutions <sup>(1)</sup> adopted by the Conference is preceded by a Preamble containing the following declaration, which defines the object and scope of the resolutions :

(The Conference)

Adopts the following programme in order that journalists may have every facility in residing, travelling, securing news and improving their professional equipment, and that news itself may be free at the source, expedited in every possible way in its transmission, protected before and after publication against unfair appropriation, and given the widest possible dissemination, to the end that the work of the Press may be made more effective in its great and responsible mission of accurately and conscientiously informing world public opinion and hence of contributing directly to the preservation of peace and the advancement of civilisation;

And adopts the following special resolutions, based on strictly technical professional and international considerations, as the first steps towards carrying this programme into effect.

The Conference requested the Council to give the necessary instructions to the League's various technical organisations, whose collaboration might be desirable for the execution of certain resolutions. It expressed the hope that the Assembly and the Council would maintain such contact with the progressive development of these problems that, if the various interests represented at the Conference expressed at a later date the desire of the Press for a further consultation or conference, they might again put the League's technical facilities at the disposal of the Press.

\* \* \*

In his closing speech Lord Burnham summarised as follows the work of the Conference :

There have been three main heads for discussion and decision : communications, circulation and journalistic facilities; in other words, the collection of news, the transmission of news, and the circulation of news.

Perhaps we may best see the scope of our efforts if we look at them from the point of the successive steps taken by the journalist in his search for news, in its rapid transmission, in its protection before and after publication, and, finally, in its increased circulation.

The first link in this chain consists of the resolve of the Conference to extend the freedom of the journalist for the fulfilment of his essential duties. As regards material facilities, it has sought to safeguard his status by making provisions for the issue of an international identity card, to assure his easier passing of frontiers by special treatment in regard to passports and visas, to expedite his travelling by reduced rates on trains and steamships, and to relieve him of double taxation. As regards his professional equipment, it has sought to give him access to special courses of instruction in universities, to open scholarships, and to enable him to see the world under proper auspices.

The second link is undoubtedly communications. News cannot be despatched if telegraphic rates are unfairly high and telephonic charges unreasonably restrictive. Many reductions have already been made, and the competition of wireless with cables is surely, if slowly, lowering the cost of transmission. This competition is bound to have important results in the near future, no less impor-

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(1) See Annex.

tant than those which have already taken place in the Atlantic and Pacific services. I understand moreover that a general reduction of telephone charges for newspaper purposes is likely to take place in the near future.

The resolutions point to many possible means of improving the methods of sending news; for instance, by regional agreements, by special consideration of the difficulties prevailing in the Far East, and in the European telephone system. It can also be done by permission to use codes under proper regulation. Suggestions have also been made for cheaper correspondence by a general reduction of rates and dues, by new kinds of deferred messages, and in the remission of transit and terminal charges. Similarly, resolutions have been adopted for increasing the speed of communication by establishing new categories of "priority" and urgent "press" messages.

The third link in the chain is the means of protecting news before and after publication against unfair appropriation. This question was more warmly debated than any before the Conference and I think it represents a real triumph for journalistic statesmanship that a unanimous agreement was reached on a subject of such vital importance. The Conference does not wish to establish any monopoly in news or prejudicial control of the sources of public information but it does wish to protect against unfair competition those great journalistic enterprises which by their initiative and their organisation bring the world's news at great cost of time and skilled labour to the use of the reading public.

The fourth link is the distribution of the finished product. The Conference approved of a clear and connected report with recommendations which will widen the existing system of postal subscriptions to newspapers and ensure their quicker despatch and more extensive distribution across international frontiers.

Lastly, as the undercurrent of the discussion on all these points, there has been the manifest desire to recognise the mutual responsibility of the press to the public and of the public to the press. This applies not only in the matters mentioned above in connection with the desirability of rapid distribution, of the protection against unfair competition, and of adequate facilities for journalists, but also to a number of other more general resolutions as to the part and functions of the press in world affairs. In a real though maybe still in an intangible way I think the conscience of the press has been quickened and stimulated by this great meeting.

## VII. — Forthcoming Events.

- September 15th : Meeting of the Supervisory Commission, Geneva.
  - September 19th : Interchange of Public Health Officers, Berlin.
  - September 26th : Meeting of the Committee of Health Experts on Infant Welfare, Vienna.
  - September 28th : Tenth Session (extraordinary) of the Advisory Committee on Traffic in Opium and other Dangerous Drugs, Geneva.
  - October 10th : Meeting of the Mixed Committee of Experts on the question of Counterfeit Currency, Geneva.
  - October 11th : Meeting of the Committee of Guarantor States for the Austrian Loan, London.
  - October 17th : Diplomatic Conference on Import and Export Prohibitions and Restrictions, Geneva.
  - October 28th : Meeting of the Health Committee, Geneva.
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ANNEX

Conference of Press Experts

(Geneva, August 24th to 29th, 1927.)

FINAL RESOLUTIONS

I. — PRESS RATES

The Conference of Press Experts expresses the conviction that it is to the general interest to assure the propagation of press news as rapidly as possible and at moderate rates.

For this purpose it decides to submit the following recommendations to the Council of the League of Nations and to request it to be good enough to communicate them to the Organisation for Communications and Transit in order to undertake the necessary technical investigations in co-operation with press experts and communications authorities.

A. — TELEGRAPH AND WIRELESS TELEGRAPH

a) *Priority for Press Telegrams by Wire and Wireless.*

The Conference recommends that, for the purpose of international communication, press telegrams should be given priority over ordinary private telegrams.

b) *"Urgent Press" Telegrams by Wire and Wireless.*

The Conference recommends the establishment, for the purpose of international communication, of an "Urgent Press" telegram which should pay double rates compared with ordinary press telegrams. "Urgent Press" telegrams should have priority over "Urgent Private" telegrams.

c) *Long Distance Communications.*

In view of certain excessively high rates that prevail for long distance press communications, the Conference recommends that measures should be adopted by Governments and the commercial enterprises concerned to facilitate the reduction of tariffs for such press communications by cable, by wire, or by wireless.

The Conference recommends that all fiscal taxes imposed by administrations on press telegrams in transit and all terminal charges levied by Governments upon incoming messages by telegraph, cable, or wireless that are not handled by such Governments should be eliminated.

The Conference recommends the introduction, where such services do not exist, of a system of deferred press telegrams and cable letters at a particularly low rate.

d) *Regional Telegraphic Understandings.*

The Conference recommends the conclusion, on the example of agreements already concluded between the Scandinavian and Baltic States, of regional understandings between neighbouring countries establishing internal rates for telegraphic communications between the signatory States.

B. — TELEPHONE

The Conference recommends in international conversations :

1) For ordinary press communications, a reduction in rates of 50 %, with priority over ordinary private conversations;

2) For urgent press communications, a reduction in rates of 50 %, with priority over urgent private conversations;

3) The readjustment of rates whenever the rate applied on the basis of an international scale is greater than what would result from adding the national rates of the countries through which the communication passes.

#### C. — QUESTIONS EXCLUSIVELY CONCERNING WIRELESS TELEGRAPHY

##### a) *Authorisation to Receive Press Messages by Wireless.*

The Conference recommends postal administrations to grant to properly accredited newspapers and news agencies licences to receive wireless telegraphic and telephone press messages at a charge based on the character and extent of the services received.

##### b) *Rates of Wireless Telegraph Messages.*

The Conference recommends that the rates charged for transmitting press messages by wireless telegraphy should be fixed with regard to the lower cost of transmission by wireless as compared with transmission by cable.

##### c) *Messages by Wireless Telegraph from Geneva.*

In order that journalists whose duty it is to make known the proceedings and affairs of the League of Nations may be enabled to perform their duties in the best possible conditions, the Conference recommends that facilities should be granted them at all times to despatch their messages direct from Geneva by wireless.

#### II. — CODING OF PRESS MESSAGES

In order to prevent any unauthorised use of press news sent by wireless, the Conference recommends that the press should be allowed to use an appropriate code in whole or in part, and at the ordinary press rates, for the despatch of press news by wireless.

#### III. — IMPROVEMENT OF COMMUNICATIONS

##### a) *Inter-Continental Communications.*

The Conference is of opinion that better facilities should be provided for telegraphic and wireless communications between the Oriental countries and those of Europe and North and South America.

##### b) *European Communications.*

The Conference expresses the desire that normal telephone communications should be restored as quickly as possible between countries where these communications are still interrupted or irregular. On the other hand, the Conference expresses its great satisfaction at the efforts made by the administrations to organise a special network of telephone cables for long distance communications. It expresses the hope that the construction of these lines will be carried out with all speed.

The new channels of international communication afforded by wireless telegraphy and telephony, telephotography, television and air mails, will only attain their maximum efficiency if developed in competition with the other existing services under reasonable control, and it is desired to recommend this principle to the League of Nations for consideration and support.

#### IV. — TRANSPORT OF NEWSPAPERS

The Conference adopted the following resolutions :

1. The Conference of Press Experts after discussing, in the presence of M. Schœller, representing the Messageries Hachette, Mr. Kimpton, representing Mrs. W. H. Smith

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All these resolutions were adopted unanimously with the exception of those relating to priority for (1) press telegrams, and (2) urgent press telegrams, which were adopted by 41 votes to 7, and 44 votes to 6, respectively.

and Son, and M. van Hewwarth, representing Mrs. Georg Stijke and Co., on the basis of the report presented by the Messageries Hachette, the question of the measures to be taken for developing and accelerating the circulation and interchange of newspapers and periodicals between the various countries in which they are published — decides to request the Council of the League of Nations to transmit the above mentioned report to the Organisation for Communications and Transit of the League of Nations, in order to examine what effect should be given to its recommendations.

It further expresses the desire that this Organisation will, in undertaking the necessary investigations, consult a certain number of experts from among the agencies and newspapers represented at the Conference of Press Experts, as well as representatives of the postal administrations, the railway administrations, and the aerial transport services, and the different newspaper transport companies concerned.

As requested by Sir Campbell Stuart, the Organisation for Communications and Transit, in studying the problem of newspaper transport, should examine the existing regulations and charges in the various countries concerned with a view to giving effect to paragraph 2 of Chapter IV (Summary) of the Messageries Hachette's report (1).

2. Believing that international understanding and the promotion of peace can best be encouraged by the widest possible dissemination of news, the Conference urges the Governments concerned to consider the urgent need for early abolition of any taxes and other restrictions on newspapers which hinder a fuller and more extended circulation of the international press.

#### V. — POSTAL SUBSCRIPTIONS TO NEWSPAPERS

The Conference expresses the wish (1) that the countries which have not adhered to the Stockholm Convention of 1924 concerning postal subscriptions to newspapers should do so as soon as possible, and (2) that the countries which have adhered to this Convention should put it into force without delay.

#### VI. — PROTECTION OF NEWS

The Conference adopted the following preamble and resolutions :—

The Conference of Press Experts lays down as a fundamental principle that the publication of a piece of news is legitimate subject to the condition that the news in question has reached the person who publishes it by regular and unobjectionable means, and not by an act of unfair competition. No one may acquire the right of suppressing news of public interest.

##### a) *Unpublished News.*

The Conference is of opinion that full protection should be granted to unpublished news or news in course of transmission or publication in these countries in which such protection does not already exist.

It shall be illegal for any unauthorised person to receive for publication or to use in any way for the purpose of distribution through the press, through broadcasting, or in any similar manner information destined for publication by the Press or through broadcasting.

There shall be no preferential right in official news issued by a Government or Government Department or by an official representing a Government or Government Department. All such news may be published without restriction in full or in part.

Newspapers, press agencies, press bureaux, and newspaper correspondents and representatives shall have free and equal opportunity of access to and transmission of such news.

##### b) *Published News.*

In view of the widely differing conditions obtaining in various countries, the Conference is of opinion that the question of the protection of published news, whether reproduced in the press or by broadcasting, is one for the decision of the respective Governments concerned, and recommends that any Governments to whom application in this respect is made by its country's press, should sympathetically consider the advisability of granting suitable protection.

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(1) Paragraph 2 reads

(2) "Reduction of Rates to the Strict Minimum, irrespective of the methods of conveyance used, in order that they may be inaccessible to newspapers, which it should always be possible to sell at a price within the means of the general public".

Such protection should, however, permit the reproduction of news within a specified period, subject to acknowledgment and payment.

The Conference affirms the principle that newspapers, news agencies, and other news organisations are entitled, after publication as well as before publication, to the reward of their labour, enterprise and financial expenditure upon the production of news report, but holds that this principle shall not be so interpreted as to result in the creation or the encouragement of any monopoly in news.

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In order to realise these principles, it is desirable that there should be international agreement and that the Council of the League of Nations, by resolution, should request the various Governments to give immediate consideration to the question involved.

## VII. — PROFESSIONAL FACILITIES FOR JOURNALISTS

The Conference adopted the following preamble and resolutions :

The Conference does not ask for the granting or extension to journalists of any favour the acceptance of which would entail the risk of infringing the independence of the press or the free judgment of journalists.

On the other hand, it strongly urges that all possible facilities should in all circumstances be granted to journalists in pursuit of their calling so that they may fulfil their duties more thoroughly and rapidly both in acquiring and transmitting news.

The Conference further desires that similar and appropriate facilities should be granted to the national and international organisations of the press in the discharge of their professional functions.

### A. — *Travel Tours.*

The Conference considers that collective travel tours for journalists in foreign countries can in certain circumstances be most useful and that the custom should not be abandoned.

Nevertheless, the serious disadvantages that the abuse or wrong use of these tours may involve are so evident that the Conference urgently recommends closer supervision of the ways in which such collective tours are organised.

This supervision should not be undertaken solely by Governments; in so far as the carrying out of such tours necessitates the co-operation of Governments, the latter should always previously ask for the opinion of competent press organisations as to whether such tours are opportune.

### B. — *Schools for Journalists.*

The Conference, noting the fact that journalism is a profession the exercise of which demands, in the first place, special gifts, and, in the second place, practice which can be obtained only be professional experience ;

Considering, nevertheless, that general knowledge and a certain technical instruction appear indispensable for the pursuit of this calling;

Declares itself in favour of the maintenance or establishment in universities or analogous institutions, of courses which would enable journalists, during their available time and in conditions of work fully respecting their freedom of thought, to supplement their knowledge in political, economic, or other subjects.

### C. — *Scholarships for Journalists.*

The Conference declares itself favourable, for the purpose of promoting the professional education of journalists, to the establishment by Governments or private bodies of study or travel scholarships which should be granted so far as possible after consultation with professional organisations of journalists.

### D. — *Double Taxation of Journalists living Abroad.*

The Conference expresses the hope that the Committee specially set up by the League of Nations to solve the general problem of double taxation, and particularly to determine what country is to receive the sole tax, will provide a satisfactory solution of this problem as quickly as possible.

It asks that Governments should meanwhile be requested to grant every facility compatible with their present legislation to journalists who are obliged in the exercise of their profession to live outside their country of origin.

E. — *Reductions of Steamship and Railway Fares.*

The Conference considers it desirable that, in countries where this practice exists, foreign journalists, giving proof of their profession, should be entitled to reductions of railway rates equivalent to those granted to nationals.

The same facilities should be granted, in its opinion, under the supervision of national and international organisations, to journalists required to travel in order to represent their colleagues in assemblies where questions are discussed concerning the conditions in which they exercise their profession.

F. — *Passport Visas for Journalists.*

The Conference considers it is absolutely necessary for a journalist to be able to move about rapidly, in case of necessity, in order to arrive on the spot without losing valuable time at frontiers, and to be able, with the least possible delay to follow the vicissitudes of any event.

At the present time, although a great number of countries have abolished the formality of passport visas — a frequent source of delay — others still maintain it. The Conference considers that journalists, on giving proof of their profession, should invariably be exempted from visa formalities.

G. — *Identity Cards for Journalists.*

The Conference declares that it would consider it of the greatest utility to establish an international identity card for journalists which should, at the same time, be a means of professional identification and should be particularly designed to facilitate travelling and the exercise by journalists of their profession abroad.

This card should be based on the principles on which the card prepared by the International Association of Journalists accredited to the League of Nations has been framed, as well as the draft submitted to the Conference by the International Federation of Journalists and the Preparatory Committee of Journalists.

The Conference expresses the hope that when the Advisory Organisation on Communications and Transit discusses this question, it will consult the representatives of the groups concerned, including directors of newspapers and directors of news agencies <sup>(1)</sup>.

H. — *Repressive Measures against Foreign Journalists.*

The Conference requests the League of Nations to make the most urgent representations to Governments in order that measures of expulsion or withdrawal of a permit to stay in a country on grounds concerned with the exercise by a journalist of his profession should never be taken without requesting the opinion of a committee of journalists, by which the journalists concerned could be heard <sup>(2)</sup>.

I. — *Equality of Treatment for Foreign Journalists.*

The Conference recommends that all official news should be communicated to all newspapers and news agencies, whether national or foreign, without distinction, and that rates, privileges and facilities for the transmission of news by telegraph, telephone, or wireless, should be granted to all in equal measure.

J. — *Facilities for Enquiry afforded to Foreign Journalists.*

The Conference expresses the wish that foreign journalists should be able, on the production of an official document, to obtain from the official press bureau or from the local authorities the same facilities as those accorded to journalists of the country concerned.

(1) With the exception of the second paragraph which was adopted by 45 votes to one, this resolution was adopted unanimously.

(2) This recommendation was adopted by 29 votes against 15, with 8 abstentions.

### VIII — CENSORSHIP IN PEACE TIME

The Conference adopted the following resolution :

Whereas the principal theory and reason for the consultation of this Conference, being the free and prompt interchange between peoples of news of events and conditions makes for mutual understanding and, consequently, peace;

And whereas it is obvious that news despatches must, to be effective in this sense, be popularly accepted as true in the countries in which they are published;

And whereas the Conference declares itself opposed in principle to every restriction on the liberty of the Press, and considers that censorship should not be established or maintained except for really vital reasons and in circumstances which can only be exceptional;

And whereas, without wishing to interfere in the internal affairs of the various States, it nevertheless expresses the general desire to see the re-establishment of normal intellectual communications among the peoples by modifying or suppressing censorship laws wherever the situation permits.

And whereas it is the unanimous conviction of the Conference that censorship in peace time, whether carried on openly or in a disguised form — which is worse — is a fundamental obstacle to the normal exchange of international information, and as such renders more difficult understandings between nations;

And whereas, not only as has been recognised by the preparatory Committee of News Agencies and Journalists, does censorship fail to prevent the distribution of false and misleading news, but is also particularly injurious to the Governments by which it is maintained.

It is therefore the wish of the Conference that it should quickly and finally be abolished;

However, so long as, contrary to the principle of the liberty of the press censorship still exists in any country, the Conference asks for the following minimum guarantees :

1. That telegrams submitted to censorship should be examined by specialists and despatched with the greatest promptitude possible.

2. That journalists should be informed of the instructions given to these specialists as to enable them to make their own dispositions.

3. That they should be informed of the passages suppressed in their despatches as well as of exceptional delays in their transmission, and that they should be given the option of sending or withholding telegrams which have been either censured or delayed.

4. That the transmission charges paid in advance for telegrams which have been either censured or delayed should be re-imbursed in proportion to the number of words suppressed.

5. That a complete equality of treatment should be granted to all journalists without exception.

### IX. — *Miscellaneous Resolutions.*

(The following resolutions are the outcome of proposals submitted by delegates during the Conference and adopted by the latter.)

#### 1. *Publication or Distribution of Tendency News.*

Fully cognizant of the fact that publication or distribution of obviously inaccurate highly exaggerated and deliberately distorted news or articles is calculated to cause among nations undesirable misunderstandings as well as suspicions detrimental to international peace;

Desirous of promoting the growth of mutual understanding among peoples, necessary for the promotion of world peace;

Participants in this Conference express the desire that Newspapers and News Agencies in the world should deem it their duty to take stringent measures to avoid the publication or distribution of such news or articles, and also should consider active international co-operation for the attainment of this purpose, which is in conformity with the spirit of the League of Nations <sup>(1)</sup>.

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(1) This resolution was adopted by 27 votes to 2.

## 2. *Courses for Journalists at Geneva.*

Whereas it is important from the point of view of consolidating peace and also of eventually providing reasonable criticism of the activities of the League of Nations that the greatest possible number of journalists should become familiar with the organisation of the League of Nations.

The Conference of Press Experts recommends that preliminary consideration should be given to the question of organising at Geneva and in connection with the League of Nations an international institute or centre for the press to which journalists could come in turn throughout the year in order to obtain the necessary knowledge, and draws the attention of Governments to the advantage of affording every protection to such an organisation.

## 3. *Establishment in Newspapers of a Special Heading on the League of Nations.*

The Conference of Press Experts expresses its gratitude to the League of Nations, and particularly the Information Section of the Secretariat, for the support and facilities granted its members, as well as for the organisation of the meeting and notes that League has in no way attempted in all this work to make propaganda in its favour, but simply to contribute to the material and spiritual development of the Press.

Recognising, nevertheless, that the work of the League is worthy of the closest attention and constitutes one of the most interesting movements of the century, the Conference recommends the establishment in the big newspapers of a permanent section, such as already exists in some papers, devoted to making known the work of the League in an objective fashion.

## *Moral Disarmament.*

The Conference appeals to the Press of the world to contribute by every means at its disposal to the consolidation of peace, to combating hatred between nationalities and between classes, as the greatest danger to peace, and to preparing the way to moral disarmament.

## 5. *Regional Press Understandings.*

The Conference of Press Experts, considering that regional agreements with the object of promoting international harmony concluded by the press of groups of neighbouring States constitute not only one of the best means of facilitating the decisions of Governments on the improvements suggested by the Conference, but also, and above all, a permanent guarantee of pacification calculated to contribute in large measure to the prevention of misunderstandings between nations; Recommends to the delegates of all countries that might benefit by agreements of this sort — in particular the Balkan countries — to confer immediately with each other in order to reach an amicable understanding as soon as possible, drawing closer the bonds between the press of their countries and so between their public opinion.

## 6. *Periodical Conferences of Press Experts.*

With a view to examining in the near future the extent to which the resolutions and recommendations of this Conference have been acted upon by the Governments and other Organisations concerned, and also to considering various new problems arising from changed conditions due to the application of those resolutions and recommendations, the Conference requests the Council of the League of Nations to consider the advisability of calling a further conference and also of making such conferences periodical.

## 7. *Right of Reply.*

The Conference has decided to refer the consideration of this question to a subsequent press conference; it will meanwhile be studied by the League of Nations, with a view to ultimately issuing a report.

## X. — RESOLUTIONS OF A GENERAL CHARACTER

At the close of its session, the Conference adopted by acclamation the following resolution :

*The Conference and Public Opinion.*

Considering that all the resolutions which have been voted will require to be supported before the public, the Conference requests all the delegates who have taken part in the discussions to undertake to propagate the cause of the general interest of the Press in their newspapers and before the public opinion and the Governments of their respective countries.

**TENDERS FOR SUPPLIES**  
**TO THE SECRETARIAT OF THE LEAGUE OF NATIONS**  
**GENEVA**

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Tenders are invited for the supply of the following articles :

- 1) Office furniture;
- 2) Stencil-, duplicating-, printing-, writing-, type-writing-, packing-, and carbon-paper, envelops, etc.

Closing dates : October 20th, 1927.

Particulars may be obtained from the Secretariat of the League of Nations, Geneva.



# MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

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to the Information Section, League of Nations, Geneva.

## I. — Summary of the Month.

SEPTEMBER, 1927

The Eighth Ordinary Session of the Assembly and the Forty-Sixth and Forty-seventh Sessions of the Council were held in September.

The Permanent Court of International Justice, which had been in session since June 15th, gave judgment in the Lotus case and resumed its hearings in the Mavromatis affair.

\* \* \*

The Assembly sat from September 5th to September 27th.

Forty-nine States Members were represented, namely :

Abyssinia, Albania, Australia, Austria, Belgium, British Empire, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, India, Irish Free State, Italy, Japan, Latvia, Liberia, Lithuania, Luxemburg, Netherlands, Nicaragua, Norway, New Zealand, Panama, Paraguay, Persia, Poland, Portugal, Roumania, Salvador, Kingdom of the Serbs, Croats and Slovenes, Siam, South Africa, Sweden, Switzerland, Uruguay, Venezuela.

The Argentine Republic, Bolivia, Brazil, Honduras, Peru and Spain, did not send delegates.

The heads of the Assembly delegations included the President of the Swiss Confederation, the Prime Ministers of Luxemburg and Lithuania, and the Foreign Ministers of twenty-one States (Albania, Belgium, Great Britain, Bulgaria, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Latvia, Lithuania, Netherlands, Poland, Portugal, Roumania, Salvador, the Serb-Croat-Slovene Kingdom, Sweden).

In his opening speech, the Acting President of the Council, M. Villegas (Chile) reviewed the work of the League, whose programme, he said, covered an ever increasing field of international work. The League was constantly endeavouring to forge links which would bind the nations to one another by their true interests, to remove sources of conflict and to bring forward the weighty arguments for unity and concord. Reviewing the past year's work, M. Villegas noted the League's progress towards universality as demonstrated by the attendance of the United States, Ecuador, Turkey, Mexico and Egypt at important meetings convened by the League on economic questions. The Argentine Republic had given valuable assistance.

Speaking of the Economic Conference, M. Villegas, said that it had been the most important event of the year. It was now for the Assembly and Governments to take up the task and enable the organs of the League to continue the work of the Conference.

*Election of the President.* — M. Guani, first delegate of Uruguay, was elected President of the Assembly, obtaining twenty-four votes out of forty-seven cast.

*Distribution of Work.* — The Assembly then adopted its agenda, as in preceding years dividing its items among six committees, to which each of the States represented were entitled to send one delegate :

*First Committee : Legal and Constitutional Questions.* — (Accessions to International Agreements given subject to ratification; Progressive Codification of International Law). Chairman : M. Adatci (Japan); Vice-Chairman : M. Zahle (Denmark).

*Second Committee : Technical Organisations.* — (Report of the International Economic Conference; reports of the Economic and Financial Organisation, of the Health Organisation, of the Organisation for Communications and Transit, and of the Committee on Intellectual Co-operation). Chairman : M. Dandurand (Canada); Vice-Chairman : M. Veverka (Czechoslovakia).

*Third Committee : Reduction of Armaments.* — (Arbitration, Security and Reduction of Armaments, Obligation incumbent upon States Members in case of emergency to facilitate the meeting of the Council by every means in their power). Chairman : M. Benes (Czechoslovakia); Vice-Chairman : M. Guerrero (Salvador).

*Fourth Committee : Budget and Financial Questions.* — Chairman : M. van Eysinga (Netherlands); Vice-Chairman : M. de Vasconcellos (Portugal).

*Fifth Committee : Social and General Questions.* — (Protection and Welfare of Children and Young People; Protection of Women and Children in the Near East; Traffic in Opium; Armenian and Russian Refugees). Chairman : M. Hambro (Norway); Vice-Chairman : Hussein Khan Ala (Persia).

*Sixth Committee : Political Questions.* — (Slavery Convention, Mandates, system of the single transferable vote and proportional representation in connection with the election of non-permanent Members of the Council). Chairman : M. Bech (Luxemburg); Vice-Chairman : Count Apponyi (Hungary).

The Chairman of the Assembly Committees are *ipso facto* vice-presidents of the Assembly.

The Assembly elected six further vice-presidents, thus completing its *General Committee*, which is composed of the President and the twelve vice-presidents.

A proposal of the President, that M. Motta, President of the Swiss Confederation, should be appointed as honorary member of the General Committee, was adopted by acclamation.

The vice-presidents elected by the Assembly were as follows :

M. Scialoja (Italy);  
M. Briand (France);  
Sir Austen Chamberlain (British Empire);  
M. Stresemann (Germany);  
M. Nemours (Haïti);  
Count Mensdorff-Pouilly-Dietrichstein (Austria);

The Agenda Committee was composed as follows :

M. de Brouckère (Belgium) (Chairman);  
Dr. A. Morales (Panama);  
H. H. Prince Varnvaidyakara (Siam);  
M. Sokal (Poland);  
M. Schumans (Latvia);  
M. Restrepo (Colombia);  
Mr. J. A. Costello (Irish Free State).

The Assembly held twenty-two plenary meetings, ten of which were devoted to the general debate on the work of the Council and Secretariat since last session. Thirty speakers took part in the discussion which centred on the questions of arbitration, security and the reduction of armaments, the work of the Economic Conference, the codification of international law and the methods of work of the Council.

The principal results of the work of the Assembly may be summarised as follows : a solemn declaration to the effect that aggressive war is an international crime; continuation of work in connection with arbitration, security and the reduction of armaments; arrangements for the convocation by the League of a first Conference for the codification of international law; measures for the continuation of the work of the Economic Conference, in particular, the creation of a new advisory committee; co-operation in the financial reform of Greece and Bulgaria; the opening of a convention for the execution of foreign arbitral awards; the extension of the work of the Health Organisation in Latin America and the Pacific; the coordination of various scientific, literary, and artistic activities and the creation of a League educational information centre.

The Council was partly renewed on September 15th, in accordance with the rules adopted at the seventh session of the Assembly. It is now composed of the British Empire, Canada, Chile, China, Colombia, Cuba, Finland, France, Germany, Italy, Japan, the Netherlands, Poland and Roumania.

During its two September sessions, the Council dealt inter alia with requests from the Hungarian and Roumanian Governments (the Hungarian optants) and from the Greek Government (the Salamis affair). It settled a certain number of questions concerning Danzig. It took measures for the execution of the Assembly decisions.

On September 23rd, the German Foreign Minister signed, on behalf of his Government, the clause relating to the compulsory jurisdiction of the Permanent Court of International Justice.

## II. — The Permanent Court of International Justice (1).

### 1. — COMPOSITION OF THE COURT

M. Pessoa, judge, having informed the President of the Court that he could not continue to sit after October 5th, 1927, the President, in accordance with the rules in force, summoned M. Yovanovitch, deputy-judge, to sit for the last part of the session, beginning with the hearings in the case concerning the jurisdiction of the European Commission of the Danube. M. Yovanovitch being prevented by illness, the Court will sit with ten members for the remainder of the session. (Mr. Wang, whose turn it should be, being at present in China, could not receive a summons in sufficient time).

### 2. — THE LOTUS CASE (2)

The Permanent Court of International Justice, at a public sitting held on September 7th, 1927, delivered its judgment in the *Lotus* Case.

The questions submitted by the Parties in the special agreement referring the dispute to the Court were briefly as follows :

a) Has Turkey acted in conflict with the principles of international law by instituting criminal proceedings against Lieutenant Demons at the same time as

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(1) See *Monthly Summary*, Vol. VII. No. 8, p. 236.

(2) This article has been compiled on the basis of information furnished by the Registry of the Court.

against the Turkish captain, in consequence of the loss of the Boz-Kourt having involved the death of a number of Turkish nationals?

b) If so, which are the principles which Turkey has contravened?

c) Is Lieutenant Demons entitled to pecuniary compensation and, if so, how much?

The Court, in its judgment, answers the first question in the negative; it is not therefore called upon to consider the others.

In its very complete statement of the reasons on which its conclusion is based, the Court begins by carefully establishing the precise points which it is asked to decide. In this connection, it observes, amongst other things, that the question before it concerns the fact in itself of Turkish criminal jurisdiction having been exercised and that consequently it has not to consider whether, apart from the question of jurisdiction, the clause of Turkish law actually cited in justification of the prosecution was really applicable, that, although the judgment of the Court of Stamboul has not been produced in Court — this clause appears to have been Article 6 of the Turkish Criminal Code, but that the Court is not called upon to decide whether that article is compatible with the principles of international law. What the Court has to do is to state whether the principles of international law are or are not opposed to the institution by Turkey of criminal proceedings against Lieutenant Demons.

The Court next proceeds to show, by means of an interpretation of Article 15 of the Convention of Lausanne respecting conditions of residence and business and jurisdiction that the " principles of international law ", the possible violation of which forms the question under consideration, can only be intended to mean international law as now in force between the nations belonging to the international community. Having established this point, the Court approaches a question of principles, regarded by the Parties themselves as of fundamental importance, namely the question whether the Turkish Courts, in order to establish their jurisdiction, should be able to base it upon some title to jurisdiction recognised by international law or whether, on the contrary, their jurisdiction is unrestricted so long as it does not come into conflict with a principle of international law.

The Court in the present case adopts the latter view, which is in accordance with the contentions of Turkey. In so doing, the Court argues on the one hand from the actual terms of the special Agreement and on the other from the present conditions of international law. In this respect the Court observes that the jurisdiction of a State is certainly territorial in the sense that international law prohibits it from any exercise of power over the territory of another State. But it does not follow that a State cannot, within its own territory, in the absence of a permissive rule of international law, exercise its jurisdiction in any case concerning occurrences which have taken place abroad. International law, in fact, as it exists at present, does not in general prohibit States from making their laws applicable to property situated and acts committed outside their territories. It leaves them in this respect a wide measure of discretion; in the circumstances, States can only be required not to overstep the limits placed upon their jurisdiction by international law in some cases; within these limits a State's title to exercise its jurisdiction rests in its sovereignty.

Moreover, the opposite view, which corresponds to the contention of the French Government, would, the Court holds, in practice result in paralysing the action of the Courts in many cases.

The Court then proceeds to prove that the view which it has adopted applies not only as regards civil cases but also as regards criminal cases; it also demonstrates that, no matter which of the two opposing views be adopted, it becomes necessary, for the decision in this case, to ascertain whether or not international law contains a principle prohibiting Turkey from instituting criminal proceedings against Lieutenant Demons. And this must be done mainly on the basis of precedents offering a close analogy to the case under consideration.

Proceeding next to this investigation, the Court in the first place examines the three principal contentions to which, in the Court's opinion, the French Government's arguments in regard to the point under consideration may be reduced :

- a) that the prosecution of Demons for an alleged offence committed on board the Lotus — that is to say, by a foreigner abroad — was based exclusively on the nationality of the victims, and this is not permitted by international law;
- b) that the State, whose Flag is flown, has exclusive jurisdiction over occurrences on the high seas;
- c) that this principle is especially applicable in collision cases.

As regards the first of these points, the Court does not touch upon that theory of jurisdiction which rests upon the nationality of the victims, but confines itself to making all reservations in this respect. It is of the opinion indeed that this theory could only require consideration if international law prohibited Turkey from regarding the offence as having been committed upon the Turkish ship, where its effects took place; but, the Court shows that that is not the case either in general or in particular in the case of the offence of manslaughter (*homicide par imprudence*). And it lays down that hence it is impossible to maintain that there is a rule of international law which would prohibit Turkey from taking proceedings against Demons owing to the fact that at the time of the commission of the act he was on board a French vessel.

As regards the second French argument, the Court admits that on the high seas vessels are only subject to the authority of the State whose Flag they are flying. What occurs is that by virtue of the principle of the freedom of the seas a vessel becomes identifiable with the territory of the State whose Flag it flies. It follows that no general rule of international law prohibits a State from considering an offence, which has produced its effects upon a ship carrying its Flag, as having been committed on its own territory.

Is there any special customary rule, relating to the matter, which does? Contrary to the views of the French Government, the Court replies to this question in the negative. It does not succeed in finding evidence of the existence of such a rule either among the opinions of publicists, or among the precedents and treaties invoked by France. On the contrary, the Court quotes cases tending to show that the jurisdiction of the Flag of the offender is only concurrent in character. Consequently it reaches the conclusion that the second French argument should be rejected.

As regards the third, relating more particularly to collision cases, the Court arrives at the same result. For it cannot regard as conclusive the judicial decisions cited to show the exclusive character of the jurisdiction of the country of the Flag in collision cases. Since, apart from the fact that the decisions in question are only those of municipal courts, even municipal case law is too divided to make it possible to discover therein a rule supporting the French argument. Moreover, the Court points out that it does not appear that the States concerned have objected to criminal proceedings in connection with collision cases before the courts of a country other than that of the Flag. In this domain also it must be held that there is a concurrent jurisdiction on the part of the States whose respective flags are flown by the vessels in collision.

The Court observes finally that it has not confined itself to consideration of the contentions of the French Government; in the fulfilment of its task of itself ascertaining what international law is, it has extended its researches to all the relevant precedents, teachings and facts to which it had access. The result of these researches having been negative, it affirms that there is no rule of international law which prevents the institution of the proceedings in question. Consequently, Turkey, by instituting these proceedings in virtue of the discretion which is left

by international law to every sovereign State, cannot have acted contrary to the principles of international law within the meaning of the Special Agreement.

The Judgment, the grounds of which have been summarised above, was given by the exercise of the President's casting vote, as the Court was sitting with twelve judges, and an equal number of votes were cast for and against it. All the dissenting judges availed themselves of their right, under the Statute, to attach to the Judgment the statement or their separate opinions. It should be stated that one of the dissenting judges, Mr. John Bassett Moore, begins his opinion by a declaration to the effect that he agrees with the Judgment in holding that there is no rule of international law under which the penal cognizance of a collision at sea, resulting in loss of life, belongs exclusively to the country of the Flag of the ship by which the wrong was done. " Thus making — he adds — for the judgment of that question, as submitted by the *Compromis*, a definitely ascertained majority of seven to five. "

These five are M. Loder, M. Weiss, Lord Finlay, M. Nyholm and M. Altamira; having regard to the composition of the Court, the majority therefore consists of M. Huber, M. de Bustamante, M. Oda, M. Anzilotti, M. Pessoa and Felzi-Daïm Bey.

### 3. — THE MAVROMMATIS CONCESSIONS (READAPTATION) (1)

The Greek Government on August 30th, 1927, filed its observations upon the preliminary objection taken by Great Britain; the Court decided to regard this proceeding as valid under Article 33, paragraph 2 of the Rules.

On August 29th, 1927, the British Government officially informed the Registrar of the appointment of Sir Douglas Hogg, K. C., M. P., Attorney-General, and of Mr. A. P. Fachiri, to represent its views on the case.

The Greek Minister at The Hague notified the Registrar on September 5th that M. Politis, who was detained at Geneva, would be unable to come to The Hague for the hearing, and would be replaced by M. Gilbert Gidel, professor at the Faculty of Law of Paris, as counsel for the Greek Government (2).

The public hearings took place on September 8th, 9th and 10th. After the installation of the Greek national judge, the Court heard the speeches of Sir Douglas Hogg and of Professor Gidel, followed by a supplementary statement made by Mr. Henry Purchase and a reply by Sir Douglas Hogg. Professor Gidel did not make use of his right to make an oral rejoinder.

The Court withdrew to consider its judgment.

### 4. — JURISDICTION OF THE EUROPEAN COMMISSION OF THE DANUBE (3)

By a letter dated August 31st, 1927, the Agent for the British Government informed the Registrar that his Government would be represented in Court at the hearing of this question by Sir Douglas Hogg, K.C., M.P., Mr. Alexander Fachiri and Mr. W. E. Beckett.

The Roumanian Government, on September 15th, filed its reply to the observations of the other interested Governments. Replies to the Roumanian Government's observations had been filed as early as June 17th by the British and Italian Governments, the French Government waiving its right to do so. These various documents were communicated to those concerned on September 17th.

The opening of the hearings remains fixed for October 6th, 1927.

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(1) See *Monthly Summary*, September, 1927, p. 244.

(2) See *Monthly Summary*, August, p. 215.

(3) See *Monthly Summary*, September, p. 244.

### 5. — ACCEPTANCE OF THE COURT'S COMPULSORY JURISDICTION

On September 23rd, M. Stresemann, Minister for Foreign Affairs of the German Reich, appended to the optional clause mentioned in Article 36 of the Court's Statute a declaration to the following effect :

On behalf of the German Government, I recognise as compulsory, *ipso facto* and without special agreement, in relation to any other Member or State accepting the same obligation, the jurisdiction of the Court in conformity with Article 36, paragraph 2, of the Statute of the Court, for a period of five years, in any disputes arising after the ratification of the present declaration with regard to situations or facts subsequent to this ratification, except in cases where the parties have agreed or shall agree to have recourse to another method of pacific settlement.

### 6. — REVISION OF THE RULES OF COURT

On September 7th, the Permanent Court of International Justice made an amendment to Article 71 of its Rules. The effect of this amendment is that, when the Court is asked for an advisory opinion upon a dispute actually in existence between two or more States, these States will have the right, as though they were parties to contentious procedure, of appointing, in pursuance of Article 31 of the Statute of the Court, one of their nationals to sit as a judge *ad hoc* in the case whenever they have no national judge amongst the ordinary members of the Court.

The Article in question now runs as follows :

"Advisory opinions shall be given after deliberation by the full Court. They shall mention the number of the judges constituting the majority.

"On a question relating to an existing dispute between two or more States or Members of the League of Nations, Article 31 of the Statute shall apply. In case of doubt the Court shall decide.

"Dissenting judges may, if they so desire, attach to the opinion of the Court either an exposition of their individual opinion or the statement of their dissent."

### 7. INTERNATIONAL AGREEMENTS RELATING TO THE COURT'S JURISDICTION

In addition to the Governments of the countries mentioned in the May-September numbers of this Summary, the Hungarian Government has forwarded to the Registry its reply to the circular letter of March 24th; this brings up to twenty-one the total number of replies received.

## III. — Arbitration, Security and Reduction of Armaments <sup>(1)</sup>.

The general Assembly debate on the report on the work of the Council was the occasion of a protracted discussion on the question of arbitration, security, and disarmament. This question was also dealt with by the Third Committee. The final result of these debates may be summarised as follows : 1) A formal declaration prohibiting wars of aggression and laying down that every pacific means must be employed to settle disputes of every description which may arise between States; 2) A resolution embodying the future programme of work for the Preparatory Commission for the Disarmament Conference.

The Assembly, after examining the work of the Preparatory Commission and the Committee of the Council since last September, adopted resolutions of considerable importance to the future progress of their work.

(1) See Resolutions of the Assembly, page 307.



## 1. — DECLARATION CONCERNING WARS OF AGGRESSION

On the proposal of the Polish delegation, the Assembly unanimously adopted the following declaration :

« The Assembly,

Recognising the solidarity which unites the community of nations;  
Being inspired by a firm desire for the maintenance of general peace;  
Being convinced that a war of aggression can never serve as a means of settling international disputes and is, in consequence, an international crime;  
Considering that a solemn renunciation of all wars of aggression would tend to create an atmosphere of general confidence calculated to facilitate the progress of the work undertaken with a view to disarmament;

Declares :

- 1) That all wars of aggression are, and shall always be, prohibited.
  - 2) That every pacific means must be employed to settle disputes, of every description, which may arise between States;
- The Assembly declares that the States Members of the League are under an obligation to conform to these principles. »

## 2. — ARBITRATION, SECURITY AND REDUCTION OF ARMAMENTS

The Netherlands Delegation having proposed that the Assembly, without reopening the discussion on the Geneva Protocol of 1924, should resume its study of the principles of disarmament, security and arbitration, the French and German Delegations submitted kindred proposals to the Third Committee. It appeared on examination that, far from being antagonistic, the three texts expressed similar ideas and supplemented one another. It was accordingly found possible to combine them in a single resolution, which met with unanimous approval. A proposal submitted by the Norwegian Delegation aimed at an optional convention for the compulsory settlement of disputes.

On this subject the Third Committee consulted the First Committee, and then adopted a unanimous resolution recommending that the question of a general convention for compulsory arbitration should be studied. The enquiry should include in its scope the possibilities of the development of arbitration in all its aspects. The Assembly indicated the following points for study.

« a) Means should be sought for encouraging and promoting the acceptance of the optional clause of Article 36 of the Statute of the Permanent Court of International Justice and the conclusion of special treaties for judicial settlement, arbitration and conciliation.

b) In any investigation into the methods of pacific settlement of disputes between States, special attention should be paid to the procedure of conciliation, which is of the utmost importance.

c) Very special attention should also be given to the question of the relations between the mediatory action of the Council and the Assembly and procedures of arbitration and conciliation.

d) In studying a general convention for compulsory arbitration enquiry should be made as to how the convention could be given sufficient flexibility to permit the contracting States to adjust the obligations assumed to their particular circumstances. »

The resolution adopted by the Assembly on the German, French and Netherlands proposals : (a) recommends the progressive extension of arbitration by means of special or collective agreements, including agreements between States Members and non-Members of the League so as to extend to all countries the mutual confidence essential to the complete success of the Conference on the Reduction of Arma-

ments; b) requests the Council to urge the Preparatory Commission to hasten the completion of its technical work, and to convene the conference on the reduction of armaments as soon as this work has been completed; c) provides for the creation of a committee composed of representatives of all States which have seats on the Commission and are Members of the League, other States represented on the Commission being invited to sit if they so desire.

This committee would be placed at the disposal of the Preparatory Commission and its duty would be to consider, on lines indicated by the Commission, the measures capable of giving all States the guarantees of arbitration and security necessary to enable them to fix the level of their armaments at the lowest possible figures in an international disarmament agreement.

The Assembly considered that those measures should be sought :

« In action by the League of Nations with a view to promoting, generalising and co-ordinating special or collective agreements on arbitration and security;

In the systematic preparation of the machinery to be employed by the organs of the League of Nations with a view to enabling the Members of the League to perform their obligations under the various articles of the Covenant;

In agreements which the States Members of the League may conclude among themselves, irrespective of their obligations under the Covenant, with a view to making their commitments proportionate to the degree of solidarity of a geographical or other nature existing between them and other States;

And, further, in an invitation from the Council to the several States to inform it of the measures which they would be prepared to take, irrespective of their obligations under the Covenant, to support the Council's decisions or recommendations in the event of a conflict breaking out in a given region, each State indicating that, in a particular case, either all its forces, or a certain part of its military, naval or air forces, could forthwith intervene in the conflict to support the Council's decisions or recommendations. »

The report of the Third Assembly Committee gave the following indications as to the meaning and scope of this resolution and in regard to the programme of work :

« All the delegations were agreed that the work for disarmament should be prosecuted with the utmost energy.

The Assembly, at its seventh ordinary session, had decided that, in the present conditions with regard to regional and general security, the work of the Preparatory Commission should be continued, no effort being spared to bring it to a successful conclusion as quickly as possible, and that the Conference itself should be convened as soon as the preliminary technical work was completed.

All the delegations remain faithful to this view and urge that a further effort should be made to reach the conclusion without delay. At the same time, all realise that the proposed movement along the road to disarmament will be only the first step, and must be followed by others before any real general disarmament can be achieved.

It is recognised on all hands that the greater the improvement in the conditions of security and the more decided the nature of the first step, the sooner the subsequent steps will be taken. The Committee therefore feels that, with a view to reaching definite solutions as quickly as possible, the study of the questions of arbitration and security should be resumed on systematic lines. »

### 3. — RESOLUTIONS CONCERNING THE WORK OF THE PREPARATORY COMMISSION AND THE COMMITTEE OF THE COUNCIL DURING THE PAST YEAR

The Assembly approved the report of the Committee of the Council on methods and regulations to enable the Council to take decisions to enforce the obligations of the Covenant as expeditiously as possible. It recommended that the Council should adopt this report as a valuable guide which, without restricting the Council's liberty, summarised the results of the experience of the procedure already followed and of the studies so far carried out with a view to the best possible organisations of its methods in case of emergency.

The Assembly also adopted a formal declaration concerning the rapid working of the organs of the League in times of emergency.

It recommended States Members of the League to organise in advance all measures necessary to obtain these results. It asked the Council to continue its studies, particularly in regard to telephonic communications between the Seat of the League and the different capitals, the identification of aircraft making journeys of importance for the League in times of emergency, the establishment of a wireless station at the seat of the League, the adaptation of an landing ground for aircraft near the seat of the League, and, more generally, provisions enabling the League to be prepared at any moment to meet any emergency with the greatest possible rapidity.

The result of the enquiry made during the past year by the Financial Committee and the Committee of the Council on financial assistance to States victims of aggression was also examined by the Assembly. The Assembly asked the Council to submit the plan drawn up by the Financial Committee and the material concerning Article 16 to the committee whose constitution is proposed in the resolution concerning arbitration, security and reduction of armaments.

The Assembly decided to recommend all States Members to act in accordance with the recommendations of the Preparatory Commission for the Disarmament Conference as regards the development of civil aviation for economic purposes to the exclusion of military interests, so that air armaments might be limited without hampering civil aviation. The Council was requested to cause a study to be made by the Committee on Communications and Transit of practical methods likely to facilitate the conclusion of agreements between aviation undertakings in the various countries.

The Assembly once more emphasised the importance it attached to the establishment of a convention on the suppression of the private manufacture of arms and on the publicity of manufacture in general, which in its opinion should ensure equality between producing and non-producing countries. It asked the Council to bring this to the notice of the special commission in order that the League might succeed in drawing up a single text which would enable the Council to convene an international conference as soon as possible.

#### 4. — DECISIONS OF THE COUNCIL

On the report of its President, M. Villegas (Chile), the Council took a certain number of decisions with a view to the application of the Assembly resolutions on all questions concerning the reduction of armaments.

It decided to communicate to Governments the resolution prohibiting all wars of aggression and declaring that every pacific means must be employed to settle disputes of every description, and the Assembly recommendation with regard to the progressive extension of arbitration.

In pursuance of the resolution of the Assembly, the Council called upon the Preparatory Commission for the Disarmament Conference to take steps to hasten the completion of its technical work so that the programme for a disarmament conference might be drawn up as soon as possible. It further requested the Preparatory Commission to appoint a committee to study questions of arbitration and security.

The Council took note of the formal declaration of the Assembly, asserting that States Members of the League are under an obligation to facilitate by every means in their power the rapid meeting of the Council in time of emergency, and called the attention of States Members to the consequences of this obligation.

It invited the Committee on Communications and Transit to continue its investigation of means of facilitating the working of the Council and other League organs in times of emergency.

The Council transmitted to the Preparatory Commission the Assembly resolution concerning financial assistance for States victims of aggression, authorising that Commission to consult the Financial Committee whenever necessary.

The Assembly resolutions concerning the development of civil aviation was forwarded to States Members and to the Committee for Communications and Transit; that on the private manufacture and publicity of manufacture of arms to the Special Commission dealing with the question; that concerning the report of the Committee of the Council on methods and regulations enabling the Council to take prompt decisions with a view to the enforcement of the obligations of the Covenant was adjourned to the December meeting of the Council.

The Council also made the necessary arrangements for modifying the composition of the Preparatory Commission for the Disarmament Conference and the Special Commission on the Private Manufacture of Arms, so as to bring it into line with the changes in its own membership.

Of the three newly elected Members of the Council one—Finland—is already represented on the Preparatory Commission. The other two—Canada and Cuba—become automatically members of the Commission. The Greek representative having been rapporteur to the 1924 Assembly on arbitration and security, the Council decided to invite Greece to cooperate in the work of the Commission.

The Council invited two of its retiring members—Belgium and Czechoslovakia—to remain on the Commission. The representative of the third retiring member—Salvador—had expressed the wish to retire, so as not to increase unduly the number of the Commission.

As regards the Special Commission on the Private Manufacture of Arms, the Council decided that, owing to their importance as producing countries, Belgium and Czechoslovakia should be invited to remain members. Salvador was also invited to continue to cooperate in the work of the Commission on account of the important part which its representative, M. Guerrero, had hitherto played therein.

#### IV. — Legal and Constitutional Questions.

##### 1. — INTERNATIONAL ENGAGEMENTS

###### a) *Ratification of agreements and conventions concluded under the auspices of the League of Nations.*

On September 3rd the Council took note of the position with regard to the ratification of agreements and conventions concluded under the auspices of the League of Nations.

On this occasion, the Polish representative, M. Sokal, drew attention to the fact that the Convention drawn up by the Second Opium Conference (February 19th, 1925) had not yet entered into force, owing to the delays in ratification. The coming into force of this Convention depended on its ratification by ten Powers, including seven Members of the Council, two of whom must be permanent members. More than ten ratifications and accessions had been deposited — including two by permanent Members of the Council — but this total did not yet include those of seven Members of the Council.

The Netherlands representative, M. Beelaerts van Blokland, said that the Second Opium Convention had already been approved by the States General of his country and that ratification would follow as soon as the Bill bringing Dutch law into conformity with the provisions of the Convention had been voted by Parliament.

M. Comnene (Roumania) informed the Council that only circumstances connected with internal politics had up to the present prevented his Government from ratifying the Convention,

b) *Accessions to international agreements subject to ratification.* <sup>(1)</sup>

The Assembly considered the question of accessions to international agreements given subject to ratification and the consequences arising therefrom.

The rapporteur, M. Motta, said that there were two procedures known to international practice by which States entered into undertakings with one another — that of signature and that of accession.

The procedure of signature was the more usual. It was followed by States which had taken part in an international Conference and signed the Act resulting from the Conference either immediately or within a certain time-limit (generally from six to nine months).

The procedure of accession was open to States which had not taken part in the Conference or had not signed within the specified time-limit.

When a State signed a Convention it did so subject to ratification. Accession was, on the other hand, definitive.

Recently, however, a new practice had crept into international procedure, several States having acceded to agreements subject to ratification.

The First Assembly Committee, which examined the question, came to the conclusion that this practice should be neither encouraged nor discouraged. It considered, nevertheless, that States should understand that if they did not mention that their accession was subject to ratification it would be regarded as definitive.

The Assembly endorsed this opinion.

c) *Registration.*

Among the treaties and international agreements registered in September figure :  
An Aeronautical Agreement (Paris, March 31st, 1927) between the British Empire, France, Italy and Japan and Bulgaria to ensure the application of Article 89 of the Treaty of Neuilly, deposited by the Conference of Ambassadors;

A Treaty of Arbitration and Conciliation (The Hague, May 20th, 1926) between Germany and the Netherlands, deposited by the Netherlands Government;

Agreements for the abolition of passport visas between Austria and Latvia, Germany and Finland, Estonia and Finland, and Austria and Finland;

Treaties of Commerce and Navigation between Norway and Poland and Finland and Czechoslovakia;

A Provisional Convention on Air Navigation (The Hague, July 23rd, 1926) between Denmark and the Netherlands, deposited by the Netherlands Government; and a Convention on Through Passenger and Goods Traffic (Riga, October 29th 1925) concluded by Estonia, Latvia and the Union of Soviet Socialist Republics, deposited by the Latvian and Estonian Governments.

d) *Adhesions and Ratifications.*

The *Protocol on Arbitration Clauses in Commercial Contracts* (Geneva, September 24th, 1923) was ratified by Norway.

The *Slavery Convention* (Geneva, September 25th 1926) was ratified by Norway and Spain and acceded to by Haiti.

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(1) See Resolutions of the Assembly, p. 311.

The *Convention for the Suppression of the Trade in Obscene Publications* (Geneva, September 12th, 1925) was ratified by the Netherlands, including the Dutch East Indies, Surinam and Curaçao.

The *Convention and Statute on Navigable Waterways of international Concern*, the additional Protocol to that Convention (Barcelona, April 20th, 1921), the *Convention and Statute on the International Regime of Railways* and the *Convention and Statute of the International Regime of Maritime Ports* (Geneva, December 9th, 1923) were ratified by Sweden.

e) *Amendment to the Covenant.*

The Protocols relating to Articles IV (the Council), VI (the Secretariat), XII, XIII and XV (Arbitration and Judicial Settlement) of the Covenant were signed by Chile.

2. — THE PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW (1)

The work of the Committee of Experts for the Progressive Codification of International Law was carefully examined by the Assembly, which expressed its conviction that it was material for the progress of justice and the maintenance of peace to define, improve and develop international law. It considered that it was the duty of the League to make every effort to contribute to this work.

The Assembly, accordingly, took the following important decisions :

1. It decided to summon the first Codification Conference and made arrangements for its preparation and convocation;
2. It invited the Committee of Experts to complete its work;
3. It decided to cause a study to be made for the preparation of a general and comprehensive plan of codification.

*Convocation and Preparation of the Conference.* — The first Codification Conference, the Assembly considered, might be held in 1929. It decided that the Agenda should comprise three questions recommended by the Committee of Experts and accepted by the Council as ripe for solution by international agreement, namely, nationality, territorial waters, and the responsibility of States for damage done in their territory to the person or property of foreigners.

The Assembly asked the Council to make arrangements with the Netherlands Government with a view to choosing The Hague — the seat of two Peace Conferences — as the meeting place. This choice, the Assembly considered, would not only demonstrate the continuity of the effort — rendered more systematic today by the good offices of the League — to invest international law with more precision and stability, but also be a Tribute to the Netherlands Government.

The Assembly considered that the convocation and preparation of this Conference should be left entirely to the League and that any other course might perhaps be interpreted by a section of public opinion as a real blow to the prestige of the League.

To ensure success, it was regarded as absolutely essential that the programme and organisation should be carefully and methodically prepared. This was all the more necessary as the coming Conference was to be the first of a long series and as the preparatory work would be specially heavy and would demand from those undertaking it great sacrifices of time and considerable theoretical and practical knowledge.

The Assembly requested the Council to appoint as promptly as possible a Preparatory Committee of five persons possessed of a wide knowledge of international practice, legal precedents and scientific data relating to problems coming within the scope of the Conference.

This Committee will be called upon to prepare on each of the questions sub-

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(1) See Resolutions of the Assembly, p. 310.

mitted a report giving a detailed basis of discussion, to make use, above all, of the work of the Committee of Experts, and to take account of resolutions already adopted or in process of being framed by such learned associations of international law as the Institute of International Law, the International Law Association and other similar bodies. Lastly, in order to ensure the universality of international law, it should take into account the extensive and remarkable effort at codification made during recent years by the Pan-American Union.

After this preliminary work, which will be in the nature of a general survey of the subjects to be dealt with, the Committee will have to undertake an enquiry approaching the Governments of the States Members and non-Members through the Secretariat.

It will first of all draw up a schedule for each of the questions coming within the scope of the programme of the Conference, indicating the various points suitable for examination with a view to agreement. On each point States will be invited to furnish information from the point of view of the state of their positive law, information derived from their own practice, and their wishes as regards possible additions to the rules in force and the manner of making good present deficiencies in international law.

At the end of its enquiry, the Committee will be in a position, after comparing the information sent by the various Governments, to establish the points on which there is agreement or any degree of divergency, in respect of each aspect of the questions to be dealt with. The progress of the work will be examined by the Assembly at its next session, and once it is finished, the Council will decide as to the date of the Conference.

The Assembly recommended the Council, when sending the invitations, to include a draft set of regulations indicating a certain number of general rules, concerning in particular :

- a) The possibility if necessary for states taking part in the Conference to adopt among themselves rules accepted by a majority;
  - b) The possibility of drawing up on suitable matters a very comprehensive convention and within its framework more restricted conventions;
  - c) The organisation of a system for the revision of established agreements;
  - d) The spirit of the codification, which would not confine itself to a simple statement on existing rules but aim at adapting them as far as possible to contemporary conditions of international life.
- .....

The Assembly invited the Committee of Experts for the Codification of International Law to finish the work which it had begun. It also asked it to examine the conditions in which it would be possible to study the proposal of the Paraguayan delegation concerning a general and comprehensive plan for the codification of international law. It was of opinion such a study would be useful because it would facilitate the nomenclature and methodical classification of subjects for progressive codification as and when they arrived at a sufficient degree of maturity. In proceeding with this work, the Assembly considered that account might be taken as far as possible, from a scientific and practical point of view, of the work already done by learned societies and of the comprehensive and remarkable work of codification accomplished in America.

### 3. — ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL

On September 15th, the Assembly elected Cuba, Finland and Canada to sit on the Council for three years, the retiring members being Belgium, Salvador and Czechoslovakia. The vote was taken in conformity with the Rules for the Election of the Non-Permanent Members of the Council, adopted by the Assembly, on September 15th, 1926 (1).

(1) See *Monthly Summary*, Vol. VI, No. 9, p. 232.

In accordance with the rules of procedure a secret ballot was taken by roll-call. Forty-nine votes were cast, the absolute majority being twenty-five. Cuba obtained forty, Finland thirty-three, and Canada twenty-six votes.

Before the elections, the Assembly had had to vote on a request of Belgium to be declared re-eligible as Non-Permanent Member of the Council. This request was based on a provision of the Rules of Election <sup>(1)</sup>, that the Assembly may, on, or during the three years following the expiration of a Member's term of office, decide, by a two-thirds majority, that such Member is re-eligible.

The number of votes cast was forty-eight, the absolute majority thirty-two. Belgium obtained twenty-nine votes, three less than the number required. M. Vandervelde (Belgium) expressed his conviction that the votes against the proposal had been given on grounds of principle, and did not represent any feeling in the Assembly against his country, which needless to say, would continue to co-operate wholeheartedly in the work of the League. Delegates showed by prolonged applause their appreciation of this statement.

#### 4. — SYSTEM OF THE SINGLE TRANSFERABLE VOTE AND PROPORTIONAL REPRESENTATION IN CONNECTION WITH THE ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL <sup>(2)</sup>

The question of the single transferable vote and proportional representation in connection with the election of the non-permanent Members of the Council, raised at the Seventh Session of the Assembly by the Norwegian Delegation, was discussed anew at the Eighth Session.

After making a careful study of the question, the Assembly, in agreement with the authors of the proposal, came to the conclusion that, were the principle of proportional representation to be adopted, the single transferable vote system would be a form of proportional representation which could be applied to the Council elections. It was, however, of opinion that the present system should be given a fair trial, and that the method of balloting now employed should not be changed until it appeared opportune to do so.

### V. — The Technical Organisations.

#### 1. — THE HEALTH ORGANISATION <sup>(3)</sup>

##### *Work of the Organisation.*

The work of the Health Organisation during the past year was reviewed by the Assembly, special interest being attached to certain of its aspects, in particular, the appointment to the Health Committee of expert assessors from Australia, the United States and Italy; the development of the Bureau of Epidemiological Intelligence at Singapore, which will henceforth make it possible for movements of epidemic disease to be watched and studied in the Far East and for advance measures to be taken to repel the invasion of infection; the communication to all European Health Administrations of weekly telegraphic reports on the progress of the recent influenza outbreak; suggestions of all countries concerned in the campaign against sleeping sickness in Africa; the development of the system of interchanges of medical officers (interchanges are being arranged to take place in Germany and in India); the organisation of international public health courses; an enquiry into public health problems in the Pacific; the International Rabies Conference, which enabled directors of antirabic Institutes in all parts of the world to compare the results obtained by the various methods in use in their laboratories; an enquiry regarding

(1) See *Monthly Summary*, Vol. VI, No. 9, p. 232.

(2) See *Resolutions of the Assembly*, p. 312.

(3) See *Resolutions of the Assembly*, p. 312.



health insurance, in cooperation with the International Labour Office; and an enquiry regarding infant mortality.

The Assembly recorded its unqualified approval of this work, and expressed its appreciation of the services rendered to international public health by the Health Committee and its expert Commissions.

#### *Technical Mission in Latin-America.*

The results of the mission of a group of health experts in certain countries of Latin America were discussed by the Assembly and the Council.

The problems of infant mortality were the main object of the journey to Latin America of the Chairman of the Health Committee, Professor Madsen, and the Medical Director of the Health Organisation, who attended the meeting of the International Group of Experts in Child Welfare, held last June at Montevideo.

• The Assembly took note of the possibilities of technical cooperation with public health and medical authorities in Latin American countries. The Argentine Health Administration has suggested that it might be possible to establish in Buenos Ayres, under the auspices of the League, an international health centre, which would provide training facilities for a staff capable of dealing efficiently with child welfare in Latin American countries.

It has also been suggested that the League might take under its auspices the public health education organised two years ago in Rio de Janeiro, and thus endow it with the same international character as the courses organised by the Health Committee in Paris and London. A further suggestion from the Brazilian Health Service concerns the establishment of an International Leprosy Research Centre under the auspices of the League.

Finally, the National Health Council of Uruguay is prepared to cooperate with the Mixed Commission of the Health Committee studying the question of health insurance.

The Assembly, after noting the report of the Chairman of the Health Committee on these possibilities of cooperation requested the Council to consider how they might be made effective. It considered that the realisation of these suggestions would result in creating links between the League's health work and the activities of the Latin-American health administration and would constitute a good method of developing the work of the League's technical organisations in Latin-America.

The Council took note of the results of the mission and expressed its appreciation of this first attempt at technical cooperation with distant countries.

The Japanese, Colombian, British and Chilean representatives expressed the hope that the meeting at Montevideo might create a precedent. The British representative, in particular, emphasised the necessity of repeating the experiment made in Latin-America, in order that the more distant nations might have an opportunity of appreciating and understanding the work of the League.

To give effect to the resolutions of the Assembly, the Council referred to the Health Committee with a view to practical realisation, the various suggestions for cooperation with Latin-American countries.

## • 2. — THE ECONOMIC AND FINANCIAL ORGANISATION

### *The Economic Conference (1).*

Both the Assembly and the Council endorsed the recommendations of the Economic Conference as generally indicative of the determination of all nations to organise economic peace.

The Assembly recommended that all Governments should give favourable

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(1) See Resolutions of the Assembly, page 313.

consideration to the resolutions of the Conference and that their economic policy should be developed in accordance with the principles laid down by the Conference. It instructed the League Economic Organisation to prepare as soon as possible a summary of the replies of the various Governments as to their attitude with regard to the recommendations of the Conference and the action taken or to be taken thereon. It expressed the hope that the recommendations of the Conference, in particular those relating to tariffs and commercial policy, would be put into effect, not only by national action and bilateral agreements but also, whenever practicable, by collective conventions reached by means of international conferences of accredited representatives with the aim of gradually evolving among the trading nations of the world, and particularly among those of Europe, common lines of policy beneficial to all and not subject to the uncertainties of purely bilateral bargaining.

As the execution of the programme demands great care and work of a technical kind, the Assembly considered that it should be entrusted to a special organisation. It accordingly invited the Council to set up an Economic Organisation, to include representatives of the interests and organisations which had collaborated in the preparation of the Economic Conference.

This Organisation will include :

- a) The Economic Committee, to deal in particular with economic relations between States and their economic policies so far as they have international aspects;
- b) Temporary Sub-Committees of Experts for the preparatory work;
- c) A Consultative Committee, to follow the application of the Conference recommendations. This Committee, whose composition will be modelled upon that of the Preparatory Committee for the Economic Conference, will comprise 35 members. The International Labour Office will be invited to submit the names of three labour members. The Economic Committee will select five of its members to take part in the work of the Consultative Committee with the same rights as the other members. The cooperation of the International Institute of Agriculture and the International Chamber of Commerce will also be secured.

On the suggestion of the German representative, the Council, on September 27th, took the necessary decisions to give effect to the resolutions of the Assembly.

It was decided that the Economic Committee should be composed of fifteen members, of different nationalities, appointed by the Council in their personal capacity and on the grounds of their qualifications in economic matters for a period of three years. They will not represent their Governments. At the end of their term of office, retiring members, unless succeeded by members of the same nationality, will become "Corresponding Members of the Committee".

As a general rule, corresponding members will not attend meetings of the Committee, but may be summoned whenever necessary. Their term of office—also three years—will be renewable, but will expire on the day on which a regular member of the same nationality is appointed to the Committee.

In order to be a corresponding member, it is not invariably necessary to be a retiring member of the Committee, the Council being empowered, when the utility of such action is recognised, to appoint any person it may consider desirable.

The Council adjourned to its next session the appointment of the members of the Consultative Committee, requesting meanwhile the rapporteur to draw up a list of members, in conjunction with the Secretary-General and after the necessary consultations.

The Economic Committee was appointed as follows :

*Members :*

M. Barboza Carneiro . . . . .	(Brazil)
M. Brunet . . . . .	(Belgium)
Sir Sydney Chapman . . . . .	(Great Britain)

M. Di Nola . . . . .	(Italy)
M. Dvoracek . . . . .	(Czechoslovakia)
M. Jahn . . . . .	(Norway)
M. Matsuyama . . . . .	(Japan)
M. Neculcea . . . . .	(Roumania)
M. Schüller . . . . .	(Austria)
M. Serruys . . . . .	(France)
M. Stucki . . . . .	(Switzerland)
M. Trendenburg . . . . .	(Germany)
A Polish Member	
An Indian Member	
A national of the United States	

*Corresponding Members :*

Mr. Champion . . . . .	(Australia)
Mr. Jensen . . . . .	(Denmark)
A national of the Kingdom of the Serbs, Croats and Slovenes.	
A national of China.	

In order to ensue the continuity of the work of the Committee, the Council decided that its chairman should hold office for one year.

*Work of the Economic Committee*

The work of the Economic Committee was discussed both by the Assembly and the Council.

During the past year, the work of the Committee has borne on the following questions : the abolition of import and export prohibitions and restrictions; tariffs and commercial treaties; the treatment of foreign nationals and enterprises; the simplification of customs formalities; false customs declarations; arbitration clauses in commercial treaties; bills of exchange; economic crises; the unification of economic statistics; economic relations between the various countries; the protection of the consumer against worthless goods.

The Assembly called upon all Governments to send duly authorised representatives to the Conference which will meet in Geneva on October 17th for the purpose of concluding an international Convention for the abolition of import and export prohibitions and restrictions.

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The Council, on the proposal of the German representative, decided on September 9th to invite M. Colijn, former Prime Minister of the Netherlands, to preside over the Diplomatic Conference for the Abolition of Import and Export Prohibitions and Restrictions meeting in Geneva on October 17th.

The rapporteur recalled that M. Colijn had acted with skill and energy as chairman of the Commerce Commission of the International Economic Conference. He further observed that the suppression of import and export prohibitions by means of a binding convention would be the first important step towards the practical application of the principles and recommendations of the Economic Conference. The success of this first attempt would therefore have a considerable and beneficial influence upon the further developemnt of the work designed to imprive conditions in international trade.

Three members of the Economic Committee, M. A. Jensen (Denmark), M. Heer (Switzerland) and Dr. Pirelli (Italy) having resigned, the Council expressed its regret at their decision and its appreciation of the great services they had rendered the League.

*Convention on the execution of foreign arbitral awards* (1).

The Assembly decided to open for signature by all States, Parties to the Protocol of 1923, a Convention for the execution of foreign arbitral awards in commercial matters.

The object of this Convention is to complete the Protocol of 1923, which did not make provision for the execution of arbitral awards made in foreign countries. It was discussed, during the eight session of the Assembly, by the second Assembly Committee and a Special Committee.

The Committee of Experts which had previously studied the question had drawn up an agreement in the form of a Protocol. The British Government having pointed out that this might give rise to difficulties owing to the peculiar constitution of the British Empire, the Assembly decided to give it the form of a Convention, enumerating in its preamble the heads of States participating therein and their plenipotentiaries.

The Convention will remain open for signature during an indefinite period. It will be applicable to (1) awards made in virtue of a submission to arbitration covered by the 1923 Protocol, (2) awards made in a territory in one of the Contracting Parties to which the new Convention applies, (3) awards made between persons subject to the jurisdiction of a State Member or non-Member of the League, Party to the Convention.

Articles 1 and 2 determine under what conditions these awards will be recognised and enforced. It is further necessary (Article 1) :

“(a) That the award has been made in pursuance of a submission to arbitration which is valid under the law applicable thereto;

“(b) That the subject-matter of the award is capable of settlement by arbitration under the law of the country in which the award is sought to be relied upon;

“(c) That the award has been made by the Arbitral Tribunal provided for in the submission to arbitration or constituted in the manner agreed upon by the parties and in conformity with the law governing the arbitration procedure;

“(d) That the award has become final in the country in which it has been made, in the sense that it will not be considered as such if it is open to *opposition*, *appel* or *pourvoi en cassation* (in the countries where such forms of procedure exist) or if it is proved that any proceedings for the purpose of contesting the validity of the award are pending;

“(e) That the recognition or enforcement of the award is not contrary to the public policy or to the principles of the law of the country in which it is sought to be relied upon.”

Article 2 lays down :

“Even if the conditions laid down in Article 1 hereof are fulfilled, recognition and enforcement of the award shall be refused if the Court is satisfied :

“(a) That the award has been annulled in the country in which it was made;

“(b) That the party against whom it is sought to use the award was not given notice of the arbitration proceedings in sufficient time to enable him to present his case; or that, being under a legal capacity, he was not properly represented;

“(c) That the award does not deal with the differences contemplated by or falling within the terms of the submission to arbitration or that it contains decisions on matters beyond the scope of the submission to arbitration.

“If the award has not covered all the questions submitted to the arbitral tribunal, the competent authority of the country where recognition or enforcement of the award is sought can, if it think fit, postpone such recognition or enforcement or grant it subject to such guarantee as that authority may decide. ”

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(1) See: Resolutions of the Assembly, page 315.

Article 3 provides :

If the party against whom the award has been made proves that, under the law governing the arbitration procedure, there is a ground, other than the grounds referred to in Article 1 (a) and (c), and Article 2 (b) and (c), entitling him to contest the validity of the award in a Court of Law, the Court may, if it thinks fit, either refuse recognition or enforcement of the award or adjourn the consideration thereof giving such party a reasonable time within which to have the award annulled by the competent tribunal.

Article 4 enumerates the documents to be laid before the Court by a party claiming enforcement of an award. This article is descriptive and not exhaustive in character.

It would be contrary to the aim pursued, which is to promote the recognition and enforcement of foreign arbitral awards, should the Convention in any way contribute to reduce existing facilities given by certain legislative systems and treaties.

This view is embodied in Article 5, which gives a party the right to avail himself of an arbitral award in the manner and the extent allowed by the law or the treaties of the country where such award is sought to be relied upon.

The importance of such a convention from the point of view of international trade was emphasised by the Economic Conference.

The Assembly invited the Council to take whatever measures it might deem expedient to draw the attention of all States Members or non-Members of the League to the value of the Protocol of 1923 and the Convention of 1927 and to the conditions under which they may become parties to these agreements.

#### *Work of the Financial Committee (1).*

The Financial Committee held its twenty-eighth session from September 1st to September 7th. The agenda included questions concerning the issue of a Greek Loan (2), the settlement of Greek (1) and Bulgarian refugees, the balance of the Austrian and Hungarian Reconstruction Loans, the programme of expenditure by the Danzig Municipal Loan of 1925, the publication of monetary and banking laws, double taxation and tax evasion, and the liquidation of the property of Greek and Bulgarian refugees (3).

On these questions, which were discussed in the presence of representatives of the Governments concerned, representatives of the Greek National Bank, the Chairman of the Greek Refugee Settlement Commission, the League Commissioners at Sofia and Danzig, and the Chairman of the Mixed Graeco-Bulgarian Emigration Commission, the Financial Committee drew up a report which was approved by the Council on September 15th.

On the proposal of M. Vandervelde, the Council took a certain number of decisions regarding special points of the Committee's report. It approved a recommendation that part of the proceeds of the Danzig Municipal Loan should be spent on drainage works. It authorised the Secretariat (1) to make as complete as possible a collection of monetary and banking laws and to include in one of its regular publications a bibliography on this subject; (2) to publish in a single volume all the existing conventions on double taxation, and in the future to publish annually any new conventions concluded as proposed by the Committee of Experts on Double Taxation and Tax Evasion.

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(1) See Resolutions of the Assembly, page 315.

(2) See special chapters.

(3) See special chapter under Political Questions.

The Assembly took note of the work of the Financial Committee during the past year, which mainly concerned the financial situation of Danzig, the monetary and banking situation of Estonia, the problem of double taxation and tax evasion, the suppression of counterfeit coinage, the question of financial assistance for States victims of aggression and the settlement of Greek and Bulgarian refugees. It expressed its satisfaction with the work accomplished.

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The Council, on the proposal of the Financial Committee, decided to appoint Mr. Jeremiah Smith, of Boston (United States), former Commissioner-General of the League at Budapest, as member of that Committee. It also appointed M. Tsushima (Japanese) to succeed M. Aoki. It expressed its regret at the resignation of M. Aoki, who had rendered long and valuable services to the Committee.

#### *Greek Government Loan — Settlement of Greek Refugees*

On September 15th, the Council, on the proposal of M. Paul-Boncour (France), definitely approved a scheme drawn up by the Financial Committee in collaboration with the Greek Government for the issue of a loan of not more than nine millions sterling, secured upon certain surplus revenue under the control of the International Financial Commission <sup>(1)</sup>. It also approved a Protocol and Annexes to be submitted to the Greek Government for signature.

Of the proceeds of the loan, three million pounds will be used for repaying part of the State Debt, three millions to pay off outstanding arrears and three millions for the further settlement of refugees.

The Greek Government has undertaken to found a new Bank of Issue in which all State receipts and payments will be centralised. During the next three years the budget will be maintained, if possible, within the limit of 9,000 milliard drachmae. Short-term borrowing by the Government is limited to a maximum of 800 millions drachmae.

As regards the progress of the refugee settlement work, the Council noted the fifteenth quarterly report (April 1st-June 30th, 1927) of the Greek Refugees Settlement Commission, which contains, in addition to a statement of the financial position, interesting details on a refugee census in the Athens-Piraeus region and on the works — land survey and waterworks — carried out in that district.

The Council expressed the hope that the issue of the loan would be crowned with success and would allow the Greek Government to bring to a satisfactory conclusion the work it had undertaken in co-operation with the League.

The Greek representative, M. Caphandaris, thanking the Council on behalf of his Government, said that he hoped that the scheme, which concerned the fate of one and a half million refugees, and was destined to assist the efforts of Greece to achieve economic recovery, might soon, without obstacle, be put into execution.

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The Assembly expressed its appreciation of the plan drawn up for the foundation of a new Bank of Issue and the stabilisation of the Greek currency. It noted that Greece had in recent years undergone a very remarkable economic development and had every interest in adapting her financial institutions to present conditions by means of appropriate reforms. Hope was expressed that the refugee settlement work would soon be brought to a successful close.

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(1) This Commission is composed of representatives of the British, French and Italian Governments.

### *Bulgarian Refugees.*

The question of the settlement of Bulgarian refugees was discussed by the Assembly, the Council and the Financial Committee.

The Assembly had before it a general report by the Financial Committee on the progress of the Bulgarian refugee settlement work since its seventh ordinary Session.

It was able to note the successful flotation of the Bulgarian Refugee Loan in London, New York, Italy, Switzerland and Holland : the centralisation of the refugee service of the Bulgarian Government — a special feature of the past year's work; progress in the acquisition by the State of land for refugees; and the application of various measures directly connected with the settlement (distribution of seed, cattle and tools; drainage of marshes; anti-malarial work).

The problems arising out of the settlement of refugees in districts near the Bulgarian frontiers had, the Assembly noted, been solved. In this connection a special tribute was paid to the spirit of co-operation shewn by the various Governments concerned.

At the Council meeting of September 15th, the Roumanian representative, M. Comnene, urged that the League Commissioner at Sofia, and the Bulgarian Government should do all in their power to reduce as far as possible the number of refugees established or about to be established near the Roumanian frontier. The Bulgarian representative, M. Molloff, said that, if necessary, complete satisfaction could be given to the Roumanian Government after the League Commissioner had taken his decision.

*Question of a Foreign Loan for Bulgaria.* — A letter from the Bulgarian Government, asking the Council to cause a study to be made of a plan for the financial reconstruction of Bulgaria by means of a foreign loan, was considered by the Council on September 15th.

On the proposal of M. Vandervelde (Belgium), the Council requested the Financial Committee to make the necessary enquiries into the financial situation of Bulgaria.

### 3. — COMMUNICATIONS AND TRANSIT (1)

#### *Work of the Organisation.*

The Assembly reviewed the work of the Organisation for Communications and Transit during the past year.

The investigations regarding combined transport, the unification of private law in inland navigation, and the unification of statistics were, the Assembly noted, making it possible to secure valuable results. Those relating to the unification of tonnage measurement in maritime navigation had been put in hand with all the necessary expert assistance. The final report on the unification of buoyage and lighting of coasts had been submitted to the Governments of maritime countries with a view to a possible conference. In the same way, the definite proposals, which, in pursuance of the Passport Conference, the Transit Committee had been able to draw up with regard to the issue of a transit card for emigrants, exempting them from the formality of visas, would probably be incorporated shortly in an agreement giving them practical effect, nearly all the Governments concerned having already signified their assent. Lastly, the enquiry regarding inland navigation in Europe had been brought to an end with a detailed study of the important problems of inland navigation concerning Poland, in which country a special mission of experts examined on the spot — in agreement with the Polish Government —

(1) See Resolutions of the Assembly, page 316.

the conditions for the construction of various canals, the regulation of the Vistula, the routes of access to outlets on the Baltic, the drainage of the Polesian marshes, etc. With the report submitted on this question and communicated to all Governments, the Advisory Committee, in conformity with the resolution of the Genoa Conference, entered upon the path of providing practical assistance to Governments with a view to the economic reconstruction and development of Europe.

Mention must also be made of the enquiry undertaken, at the request of the Council, with regard to the improvement of communications of interest to the League in times of emergency.

The Assembly, while noting the results of the continuous work of the Advisory Committee, devoted special attention to the results obtained by the Third General Conference on Communications and Transit.

### *Third General Conference on Communications and Transit.*

The third General Conference on Communications and Transit met at Geneva from August 23rd to September 2nd, under the chairmanship of M. Aguero y Bethancourt, Minister of Cuba in Berlin and Vienna.

Resolutions and recommendations were drawn up on the various items of the agenda.

*General Report on the Work of the Organisation.* — The Conference examined the report on the work of the Transit Organisation since the last General Conference and the report of the Secretary-General on the position as regards the ratification of Conventions on Communications and Transit concluded under the auspices of the League. It adopted a resolution, submitted by the Hungarian Delegation and amended by the French and German Delegations recognising the extreme importance of freedom of transit not being interfered with by the effects of grave occurrences of a general character affecting routes of communication, and recommending that the Advisory Committee on Communications and Transit should make an exhaustive study of means of ensuring, as far as possible, the maintenance of international transit by the preconcerted utilisation of alternative routes.

The Conference further adopted a resolution, submitted by the Latvian Delegation and amended by the French Delegation, recognising that, wherever freedom of communications and international transit was still obstructed by circumstances of an international character, this situation was calculated to paralyse and impoverish economic life. The Conference hoped that the near future would see the removal from international traffic of such obstacles and recommended that the Advisory Committee should closely examine the situation created thereby and its effect upon international traffic and commerce.

A resolution put forward by the International Shipping Conference and amended by the Netherlands Delegation noted that a large number of States Members of the League, including countries of great importance from the point of view of world transport, had not yet ratified the four general conventions concluded as the result of previous General Conferences (Convention and Statute on Freedom of Transit; Convention and Statute on the Regime of Navigable Waterways of International Concern, concluded at Barcelona in 1912; Convention and Statute on the International Regime of Railways; Convention and Statute on the International Regime of Maritime Ports, Geneva, 1923). The number of signatures or accessions not yet followed by ratification was respectively 13, 17, 24 and 18.

The Conference drew the Council's attention to the urgent necessity of obtaining the other ratifications required to ensure and maintain the "freedom of com-



communications and of transit and equitable treatment for commerce which were contemplated in the Covenant and which those Conventions were intended to promote.

*Collection and Exchange of Information on Communications and Transit.* — The Conference made an exhaustive study of the question of the collection and exchange of general information on communications and transit, the utility of which had been pointed out by the Assembly in 1926. It noted that, to enable the Transit Organisation to continue its work efficiently, it should have at its disposal the indispensable information as to the state of international relations in the field of transport and the general development of the various forms of transport in the different countries. The Conference suggested that Governments and interested organisations should be invited to furnish regularly any information of a general character regarding communications, it being understood that only material of a non-confidential nature, limited to questions within the province of the Transit Organisation, should be asked for, and that no additional work would be required of Governments and the Organisations concerned.

The Conference, accordingly, recommended that the Assembly should place at the disposal of the Transit Organisation the necessary means for the establishment of this department.

On this occasion, the United States representative, Mr. Norman F. Titus, emphasised the importance his country attached to the exchange of information on communications and transit. He added that the American Delegation intended to urge, with all the power and influence that it possessed, that the United States should henceforth be represented at commercial conferences of the League of Nations and also at those convened by other international bodies.

The Conference decided to transmit to the Advisory Committee a certain number of suggestions as to the kind of information which might be collected on ports and maritime navigation, railways, electric questions, road traffic and air navigation. This information should, it considered, bear upon agreements between States, bills published, acts and regulations in preparation; it should further include general data as to work planned or proceeding, statistics, etc.

*Revision of Rules of Organisation and of Rules of Procedure.* — The Conference revised the Rules of Organisation and the Rules of Procedure of the Transit Organisation in the light of the experience gained since the Barcelona Conference of 1921. The new text does not differ essentially from the former one, the object of the modifications being merely to legalise the established practice, which was not absolutely contrary to the original text, but did not strictly adhere to the Rules of Procedure.

*Identity Documents for Persons without Nationality.* — The Conference adopted the conclusions of the Committee which it had instructed to study the question of identity documents and travelling papers for persons without nationality. The discussions on this subject revealed the complex nature of the problem. A series of recommendations were adopted, falling in general within the framework of those adopted by previous Conferences in regard to passports.

The Conference recommended that travelling facilities should be accorded, by the issue of a uniform type of document, to persons who are without nationality or of doubtful nationality in consequence of the war or for causes arising directly out of the war, the non-delimitation of frontiers, or a conflict of laws, pending international settlement of this matter, such document to be based on the international type of passport recommended in the Final Act of the Passport Conference, signed

at Geneva on May 18th, 1926, and to be entitled « Identity and Travelling Document ».

It was further recommended that the Government issuing an identity and travelling document should be entitled to extend its validity or to renew it on expiry; that the authorities of the country in which the holder of the document happened to be might issue a new document on expiry of the original; and that the authority issuing a new document should withdraw that which had expired.

The Conference considered that the period of the validity of the document in question should, in principle, be six months, and that it should be good for all countries or for as many countries as possible. It recommended that documents issued before the entry into force of the above provisions should remain valid until their normal date of expiry.

The attention of Governments adopting these recommendations was drawn to the following points :

(1) That the issue of an identity and travelling document would not entitle the holder to claim the protection of the diplomatic and consular authorities of the country which issued it and would not confer on these authorities a right of protection.

(2) That neither the issue of the identity and travelling document nor the entries made thereon could determine or affect the actual status of the holder, particularly as regards nationality, as this document, though based on presumptions worthy of consideration, could not prevail against a legally established status.

(3) That the above-mentioned four recommendations in no way affected the laws and regulations in the different countries governing the conditions of admission to, and residence and establishment in, their respective territories. Nor did they affect the special provisions of the laws and regulations concerning persons to whom the said recommendations applied.

(4) That the said recommendations in no way affected the resolutions adopted, or to be adopted, or the agreements concluded or to be concluded concerning Russian and Armenian refugees or other similar classes of refugees.

*Renewal of the Advisory Committee.* — Elections were held for membership of the Advisory Committee on Communications and Transit, the mandate of the former members having expired.

This Committee is composed of eighteen members, five appointed by the Permanent Members of the Council and thirteen by States selected by the Conference according to the principle of geographical representation and the technical interests of the Transit Organisation.

The members thus elected hold office for a period beginning immediately after their election and ending the day on which the next General Conference holds elections.

The members appointed by the Third General Conference are the Argentine Republic, Austria, Colombia, Greece, Latvia, the Netherlands, Panama, Portugal, Salvador, The Serb-Croat-Slovene Kingdom, Siam, Sweden and Switzerland.

The Assembly attached special importance to the collection and utilisation of information on communications and transit, a new form of cooperation which all Governments had promised to lend. For financial reasons, it will not be possible to carry out immediately this scheme; the Assembly was, however, of the opinion that, pending the adoption of the next budget, all possible measures should be taken with a view to pursuing the preparation of this work.

#### 4. — INTELLECTUAL COOPERATION (1)

##### *Work of the Committee.*

The work of the Committee on Intellectual Cooperation was considered by the Assembly and the Council.

The Assembly emphasised the important part played by the Institute of Intellectual Cooperation in the preparation of the work and in the execution of the resolutions of the Committee. The Institute, it was noted, had proved itself an indispensable auxiliary.

The Committee, its sub-committees and the Institute have followed their usual method of taking advantage of existing national activities, and their efforts have led more frequently to the co-ordination of existing organisations than to the creation of new international bodies.

Most of the problems dealt with called for extensive and thorough investigation. The Committee has, nevertheless, succeeded — for example, in the co-ordination of the bibliography of the various sciences — in finding a practical formula for the organisation of the bibliography of certain subjects in an agreement between the preparers and users of bibliographies. As regards university relations, the Committee has examined the results of meetings of representatives of the international students associations and of the directors of the National University Offices held under its auspices. In connection with intellectual rights, two questions in particular have been studied — scientific property and the improvement of the existing Convention on copyright. The organisation of the Congress for Popular Arts, which will be held in Prague next autumn, the study of cinematographic questions and the instruction of young people in the aims and work of the League have also absorbed much of the activity of the Committee and its auxiliaries.

To sum up, the Organisation for Intellectual Cooperation has pursued a large number of definite and practical undertakings of international cooperation in regard to various scientific, artistic and literary activities.

The Assembly drew attention to the fact that during the past year Austria, France, Hungary, Italy, Monaco, Poland, Switzerland and Czechoslovakia had made grants to the Institute with a view to furthering its work. The hope was expressed that this example would be followed by others.

The Assembly noted with satisfaction the increase in the number and in the activity of the National Committees on Intellectual Cooperation, whose assistance is becoming more and more valuable. It invited States Members which had not already done so to consider the possibility of providing funds to meet the expenses of their respective National Committees.

The Assembly noted, as meriting special attention and encouragement, the proposals of the Committee concerning the creation at the Institute of Intellectual Cooperation of an international co-ordination service of library information offices; co-ordination between the organs of bibliography for the various sciences; assistance to be given to the International Office for Annual Tables of Constants and Mathematical Quantities; preparations for the Popular Arts Congress; an international agreement with regard to casts; and the extension of the work of museums as a means of artistic education.

On this occasion, the Assembly thanked the Czechoslovak Government for the subsidy granted to the Popular Arts Congress and congratulated the Swiss

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(1) See Resolutions of the Assembly, page 316.

Government, and more particularly the city of Berne, on their initiative with regard to the organisation of an international exhibition of popular art.

The Secretary-General was requested to forward to States Members the recommendations of the Sub-Committee of Experts for instruction in the work and aims of the League, asking them to take such action as might be possible.

The Assembly approved the decision of the Council to create a League of Nations educational information centre. It also approved the decision authorising the Sub-Committee of Experts on instruction in the work and aims of the League to meet every two or three years to examine the results obtained in different States from the application of the recommendations of the Sub-Committee, and, if necessary, to submit supplementary recommendations.

#### *Educational Cinematographic Institute.*

In consideration of the wish expressed by several international congresses and meetings with regard to the use of the cinematograph for intellectual development and its employment in all public schools as an auxiliary system of teaching, the Italian Government submitted to the Assembly a proposal to create in Rome an Educational Cinematographic Institute for which it would provide the initial funds.

The Assembly gratefully acknowledged the generous offer of the Italian Government, leaving to the Council all decisions as to the steps to be taken, after consulting the competent organisations, in particular the Committee on Intellectual Co-operation.

The Council, on September 28th, asked the Italian representative to communicate in due course any proposal he might think fit to make, particularly as regards draft statutes for the new Institute. The Council considered that such suggestions should be framed in consultation with the Secretary-General, who might seek the opinion of the Director of the Institute of Intellectual Cooperation and the Child Welfare Committee.

#### *Relations between the League and Institutes or Bodies set up under its Authority.*

In view of the increasing tendency to set up Institutes or Bodies under the authority of the League, but not forming part of its organisation, the Assembly requested the Council to study and define the general principles and regulations which should govern the relations between the League and such organisations.

## **VI. — Administrative Questions.**

### **1. — DANZIG**

Seven questions concerning Danzig figured on the agenda of the Council : The Danzig Municipal Loan <sup>(1)</sup>, the transport of Polish munitions and war material in transit through Danzig (operation of the Westerplatte munitions depot), the Harbour Board Police, the jurisdiction of Danzig courts in actions brought against the Polish administration by Danzig officials employed on Polish railways, the protection of the interests in Poland of Danzig citizens, the Ruetzen-Kositzkau case, the manufacture of aircraft in the territory of the Free City, and the *port d'attache* for Polish warships in Danzig.

Two of these questions, namely, that of the Harbour Board Police and that of the protection of the interests in Poland of Danzig citizens (Ruetzen-Kositzkau

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(1) See Financial Committee.

case) were withdrawn from the agenda by agreement between the parties, as direct negotiations are in progress. Similarly, as the Polish Government had stated that it was not yet prepared to formulate detailed observations in the matter of the *port d'attache* for Polish warships in Danzig, the Council decided that this question should be made the subject of direct negotiations between the two parties before its December session.

On the other questions the Council took the decisions which are summarised below.

Finally, after consulting a Committee of Jurists on a preliminary question of principle, the Council came to the conclusion that it could not accede to the request of the Danzig Senate "to revise the procedure concerning the dispute between the Free City of Danzig and the Polish Republic regarding the establishment of a Polish depot for munitions of war in the Port of Danzig" and "to cancel the Council Resolution of March 14th, 1924" (Assignment of the Westerplatte to Poland).

*Manufacture of Aircraft.* — The Council, on September 3rd, noted the opinion of the Air Sub-Commission of the Permanent Advisory Commission for Military, Naval and Air questions in regard to a request of the High Commissioner concerning the restrictions imposed on Danzig in the matter of the manufacture of aircraft. It also took note of the observations submitted by the High Commissioner and adopted the conclusions of its rapporteur, M. Villegas (Chile).

The report submits that, in the event of a definite request for the establishment of a civil aircraft industry, the High Commissioner would be called upon to supervise that industry in accordance with the instructions of the League. He might, in that case, if he felt any doubts on the matter, refer the question to the Council, which would, if necessary, ask the Air Sub-Commission to establish regulations to assist the High Commissioner in exercising this supervision.

*Port d'Attache for Polish Warships at Danzig.* — In 1921 a provisional agreement was concluded between Danzig and Poland with the object of providing safety and the necessary harbour facilities for Polish vessels in the Port of Danzig. On August 2nd last, the Senate of the Free City informed the Council that it had given notice to terminate this agreement, and asked that the Council should examine the question anew and give a definite decision upon it. The note stated that "The port of Gdingen (Poland) was now so far complete that Polish warship could use it for shelter in all weathers and more especially in winter."

At the Council meeting of September 1st, the President of the Senate of the Free City, Dr. Sahm, asked that the question should be examined and settled during the September session, while the Polish representative, M. Strasburger, requested that it should be adjourned to December.

The rapporteur, M. Villegas (Chile), said that he would examine in the course of the September session suggestions either in regard to the substance of the matter or in regard to the procedure to be followed.

On September 8th, M. Villegas proposed that the Council should ask the Polish Government to communicate before October 15th its detailed observations on the substance of the question. These observations might be communicated to the High Commissioner, who would immediately submit them to the Danzig Senate.

The Council adopted this proposal, expressing the opinion that the High Commissioner might perhaps think fit to invite at the same time the Danzig Government and the Polish representative to enter into direct negotiations under his presidency and to inform the President of the Harbour Board that it might be advisable for him to take part in such negotiations.

The High Commissioner would forward to the Secretary-General the Polish Government's observations, together with a report on the result of the negotiations, in good time for all the relevant documents to be in the hands of the Members of the Council not later than three weeks before the opening of its December session.

In the event of the Danzig negotiations not leading to the desired results by November 15th, the Council decided to refer the whole question to the Naval Sub-Commission of the Permanent Advisory Commission on Military Naval and Air Questions, which would be instructed to furnish such information as it thought necessary for the solution of the problem.

*Transport of Polish Munitions and War Material through Danzig. — Utilisation of the Westerplatte.* — At its June meeting the Council had decided to adjourn to September the discussion of certain technical questions concerning the utilisation of the Westerplatte.

Subsequently, the Danzig Senate applied to the Council "to revise the procedure concerning the dispute between the Free City of Danzig and the Polish Republic regarding the establishment of a Polish depot for munitions of war in the port of Danzig and to cancel the resolution adopted by the Council on March 14th, 1924".

The Council had accordingly to deal with two different aspects of the same question, namely, the request of the Danzig Senate for the inclusion of the question in the Agenda and the settlement of technical details concerning the utilisation of the Westerplatte.

1. *Request of the Danzig Senate.* — This question was discussed on September 1st, on the occasion of the adoption of the Council agenda.

The President, M. Villegas, recalled that, in the ordinary course of events questions concerning Danzig and Poland were submitted to the Council, either by an appeal from one of the parties against a decision of the High Commissioner, or at the request of the High Commissioner, who was authorised to refer to the Council disputes submitted to him for decision. M. Villegas pointed out that, in the present instance, there was no decision on the part of the High Commissioner, nor had he referred to the Council a dispute submitted to him.

The Polish representative, M. Strasburger, said that, in his opinion, the inclusion of the Senate's request on the agenda raised a preliminary question. He recalled that the Westerplatte peninsula had been assigned to Poland for a munition depot as the result of the Polish-Danzig Agreement of 1921 and a unanimous decision of the Council (1924) taken after an enquiry by a Committee of Experts. To grant the request of the Danzig Senate for the cancelling of this resolution, which, in the speaker's opinion, could only take place with the consent of both parties, would necessarily cancel the Polish-Danzig Agreement of 1921.

After an exchange of views between the Rapporteur, the President of the Senate of the Free City, and the German, French, Italian, British, Roumanian, Polish and Czechoslovak representatives, the Council decided to place this item on its agenda with the object of immediately examining the question of principle raised by the Polish representative. It further decided on the proposal of M. Scialoja (Italy), to appoint a Committee of Jurists, to which each member of the Council could delegate an expert, to examine the question.

The Committee of Jurists thus constituted advised the Council that

"As regards procedure and form, the request to place the item in question on the agenda submitted on July 25th, 1927 to the Council by the Senate of Danzig was not in conformity with the procedure laid down in the Polish-Danzig Treaty;

That the Council—supposing the matter to have been regularly submitted to it—could only take a fresh decision on a site for the transit of Polish war material, if the Council had before it a new question arising out of a new state of affairs—a matter on which the Committee could not give an opinion;

And that, while not laying down here in regard to the revision of international decisions a rule which could not be affirmed in the present position of international law, it was desirable to point out that, in any case, the request of the Senate of Danzig could not be complied with without a modification in treaty stipulations and that such modification could not take place without the consent of the contracting parties".

The Council accordingly, on September 16th, decided, on the proposal of M. Villegas, that no action should be taken on the request of the Danzig Senate.

2. *Utilisation of the Westerplatte.* — Certain questions concerning the utilisation of the Westerplatte had been studied since June by the Rapporteur, M. Villegas (Chile), who, on September 27th, informed the Council that the results of his enquiry confirmed the essential points of the High Commissioner's memorandum of August 8th, 1927, by which these questions had been settled.

The President of the Danzig Senate, M. Sahm, and the German representative, Dr. Stresemann, asked the Council to proceed to a thorough examination of certain legal aspects of the question. The Polish representative stated that his Government made reservations in regard to certain points of M. Villegas' report, but would be ready to accept it as it stood.

M. Villegas having declared that he would not oppose an adjournment, the Council decided that the whole question should remain open, and that the Rapporteur should obtain the opinion of two jurists chosen by himself, in order to prepare a further report.

*Jurisdiction of Danzig Courts.* — An appeal by the Danzig Government against a decision of the High Commissioner dated April 8th, 1927, as to the jurisdiction of the Danzig Courts in actions brought against the Polish Railway Administration by Danzig railway officials in the Polish service was considered by the Council on September 22nd.

On the report of M. Villegas, the Council decided to seek the advisory opinion of the Permanent Court of International Justice on certain aspects of the question, both the Parties agreeing to this procedure.

## 2. — MANDATES

On September 8th, the Council, including representatives of the South African Union (Mr. Smit), Australia (Sir George Pearce) and New Zealand (Sir James Parr), considered the work of the Permanent Mandates Commission at its eleventh session. The Vice-Chairman of the Commission, M. van Rees, attended the meeting.

On this occasion, the Netherlands representative presented a report reviewing the work of the Commission and setting forth the questions dealt with at its recent session.

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With regard to Syria, the Council expressed satisfaction that the revolt in the Djebel Druse had come to an end and hoped that, as a result of the negotiations with the Syrian and Lebanese authorities, the Mandatory Power would be in a position to proceed, within a reasonable time, to the promulgation of the Organic Law, which had been postponed.

As regards the list of questions for the preparation of annual reports on territories under B and C Mandates, the Council recalled that this document had been drawn up solely with a view to facilitating the work of the Mandatory Powers, and that it was entirely for them to decide whether or not they desired to use it. The Council felt that it was unnecessary to make a special recommendation on the subject, since the reports of the Mandatory Powers and the statements of their representatives had contained ample information. It accordingly confined itself to forwarding the Commission's observations to the Mandatories.

With reference to the legal relationship between the Government of the South African Union and the mandated territory of South West Africa and the use of certain expressions which might lead to misunderstandings, the Council pointed out that the Covenant, certain articles of the Treaty of Versailles, the Mandates

themselves and decisions adopted by the Council in regard to the administration of mandated territories had all had their part in determining, or in giving precision to, the legal relationship between the Mandatories and the territories under their mandate. This relationship was new in international law, and for this reason the use of time-honoured terminology in the same way as previously might sometimes be inappropriate to the new conditions. As the Union Government, through the letter of its High Commissioner in London of May 23rd last, had reserved the right to express its views on the subject, the Council considered that the recent observations of the Commission should merely be communicated in the usual way.

The Council decided to amend the constitution of the Commission, increasing its membership from nine to ten. Following this decision, it appointed Mr. Ludwig Kastl (German) formerly a senior official in the German Colonial Administration, former Chief of the Reparations Section of the Finance Ministry, Director of the Reichsverband der deutschen Industrie, to serve on the Commission.

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The Council decided to forward to the Mandatory Powers concerned the observations of the Commission on the various annual reports together with its conclusions regarding the petitions examined. It instructed the Secretary-General to bring the latter to the knowledge of the petitioners.

The Assembly reviewed the work accomplished since its last session by the Mandatory Powers, the Council and the Permanent Mandates Commission. In its report, the sixth Committee noted with satisfaction that the Council had cleared up the point of the legal relationship between the Mandatories and territories under their mandate. It emphasised the necessity of having in the mandated territories officials who had had the special training required for their responsible work as the local executors of the provisions of the Covenant. The Committee noted that the rules with regard to petitions, drawn up by the Council and the Mandates Commission, were being codified so as to enable the parties concerned better to understand the procedure involved.

After renewing the expression of its confidence in the organs dealing with Mandates questions, the Assembly congratulated the Mandates Commission on its success in defining the terms used in B and C Mandates and in the St. Germain Convention (1919) concerning the liquor traffic. It expressed the hope that the Mandatory Powers soon be able to indicate their acceptance of these definitions and that measures would be taken to cope with the increased importation of spirituous liquors reported from certain territories under B Mandate.

The Assembly, finally, expressed its appreciation of the value of the minutes of the meetings of the Permanent Mandates Commission, which it considered as constituting the official record of the fulfilment of the Commission's duties.

## VII. — Political Questions.

### 1. — THE SALAMIS CASE

On June 24th, the Greek Government, in a letter addressed to the Secretary-General, had submitted to the Council a request for an official interpretation of Articles 190 and 192 of the Treaty of Versailles, by any means at its disposal, such as a request to the Permanent Court of International Justice for an advisory opinion. These articles deal with the prohibition of construction and export by Germany of warships and naval material.



The case in point concerns a contract concluded before the war by the Greek Government with the Vulkan Works for the building of a cruiser bearing the name of "Salamis", and the Greek Government's request refers to a matter pending before the Greco-German Mixed Arbitral Tribunal, the Greek Government having applied to this Tribunal in order to obtain a decision cancelling the contracts it had signed in August 1914 with the Vulkan Works of Stettin.

In accordance with the request of the Greek Government, the question was included in the agenda of the forty-sixth session of the Council.

The German Government subsequently submitted a memorandum, in which it stated that it was unable to find any reason why the Council should take up this case.

The Council heard the representatives of both parties at its meeting of September 15th. The Greek representative, M. Politis, said that there was a difference of opinion between his Government and the German Government on the meaning of Articles 190 and 192 of the Treaty of Versailles and regarding the competent authority for the interpretation of the Treaty on this point. His Government considered that this difference of opinion constituted a preliminary question connected with the private case laid before the Mixed Arbitral Tribunal, and that this preliminary question should be settled by the League.

M. Politis gave a historical summary of the case and its various phases — negotiations with the Vulkan Works; proceedings before the Mixed Arbitral Tribunal and the application to the Conference of Ambassadors — concluding that the Salamis affair was essentially a public and not a private question, and that the Council, which had inherited the powers of investigation and control formerly exercised by the Conference of Ambassadors, should seek the opinion of the Permanent Court on the meaning of Articles 190 and 192 of the Treaty of Versailles.

The German representative, Dr. von Schubert, drew attention to the conclusions of the German memorandum, stating that in his Government's opinion, there was no reason why the Council should be considered competent in this matter. The case was a question of private law between the Greek Government and a German limited company with regard to the execution of a private contract, and one which the Mixed Arbitral Tribunal alone had the right to decide. The rapporteur, M. Urrutia (Colombia) observed that the question was difficult and complicated and demanded careful study. On his proposal the Council appointed the representatives of Italy and Japan, M. Scialoja and M. Adatci to assist him in preparing his report.

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On September 28th, the rapporteur, M. Urrutia, proposed, on behalf of the Committee of Three that the Permanent Court of International Justice should be requested to give an advisory opinion on the question whether the Council had competence to give effect to the Greek Government's request for an official interpretation of Articles 190 and 192 of the Treaty of Versailles.

Nevertheless, after a protracted exchange of views on the question of its competence in the matter between the rapporteur and the German, Greek, Netherlands, Finnish, British, Italian, French and Japanese representatives, the Council decided to adjourn the question to December on account of its complexity and the important legal points involved.

In the interval between the sessions the legal advisers of the Members of the Council will study the legal aspects of the matter, in particular, the question of competence. They will meet in December, either during or shortly before the Council Session, so as to be able make a report to the Committee of Three, should the latter request them to do so.

## 2. — REQUESTS OF THE ROUMANIAN AND HUNGARIAN GOVERNMENTS

The Council devoted four public meetings on September 17th and 19th, to the examination and discussion of the report which the British representative, Sir Austen Chamberlain, had submitted on behalf of the Committee of Three (British Empire, Chile, Japan) appointed to study the requests of the Hungarian and Roumanian Governments.

Last February, the Roumanian Government, having decided that its arbitrator would no longer sit on the Mixed Roumanian and Hungarian Arbitral Tribunal in agrarian cases brought forward by Hungarian subjects, submitted to the Council under Article 11, paragraph 2, of the Covenant, a request to be allowed to acquaint the Council with the reasons on which its attitude was based.

The Hungarian Government asked the Council to appoint, in accordance with the Peace Treaty, two deputy members in order that the Tribunal might be able to continue its work.

In his report Sir Austen Chamberlain retraced the successive phases of the affair as brought before the Conference of Ambassadors, the Council and the Mixed Roumanian and Hungarian Arbitral Tribunal up to the moment when the Committee of Three was asked to examine it.

The Committee had conversations with the Roumanian and Hungarian representatives in May, June and September, in London and Geneva.

Sir Austen Chamberlain described as follows the views of the Committee of three with regard to its role and that of the Council in this matter :

« Looking at the problem as a whole, the Committee desired to find a solution which would allay discontent. It could not forget that the matter had originally been submitted to the Council not under Article 239 of the Treaty of Trianon but under Article 11 of the Covenant, and that its intervention had been asked for, on that occasion, first of all by Roumania and then by Hungary. Under these circumstances it could not evade the duty imposed on it by the Covenant and confine itself simply to the election of the two deputy members for the Mixed Arbitral Tribunal, which the Hungarian representative had as a result of the proceedings demanded.

If it did so it would have failed to discharge its political duties as a mediator and conciliator in a dispute which extended far beyond the actual terms in which it had been originally submitted by the two parties.

Moreover, the Committee could not take a purely and strictly legal view of the Council's duties, especially as it realised that the election of the two deputy members would not have finally ended a difference which had been successively submitted to three international authorities.

On the contrary, it attempted on more than one occasion to bring about a general settlement which would have terminated the controversy and lead to better feelings ».

With a view to conciliation the Committee submitted to the parties certain formulas which the latter were unable to accept.

« During September, said Sir Austen Chamberlain, the Hungarian Representative renewed the offer made in March that the question of jurisdiction of the Mixed Arbitral Tribunal should be referred to the Permanent Court of International Justice, but declared that it was unable to make new concessions.

This offer was not accepted by the Roumanian representative who in his turn submitted certain formulas based on the proposals made by the Committee of Three with a view to compromise. These formulas were rejected by the Hungarian representative ».

The Committee of Three, compelled to abandon its hope of obtaining a solution by direct conciliatory methods, then submitted to eminent legal authorities the question whether the Mixed Arbitral Tribunal was entitled to entertain claims arising out of the application of the Roumanian agrarian law to Hungarian optants and nationals, and, if so, to what extent and in what circumstances it was entitled to do so.

As a result of this consultation, the Committee came to the following conclusion :

« If it could be established in any particular case that the property of a Hungarian national suffered retention or liquidation or any other measure of disposal under the terms of Articles 232 and 250 as a result of the application to the said property of the Roumanian agrarian law and if a claim were submitted with a view to obtaining restitution, it would be within the jurisdiction of the Mixed Arbitral Tribunal to give relief.

The Mixed Arbitral Tribunal is not competent to give decisions on claims arising out of the application of an agrarian law as such unless the case mentioned in the preceding paragraph arises. In this latter case the jurisdiction of the Mixed Arbitral Tribunal would not be ousted on the ground that the application of an agrarian law was involved ».

Since these considerations showed that the claim of a Hungarian national for restitution of property in accordance with Article 250 might come within the jurisdiction of the Mixed Arbitral Tribunal even if the claim arises out of the application of the Roumanian Agrarian Law, the Committee proceeded to the definition of the three following principles which the acceptance of the Treaty of Trianon had made obligatory for Roumania and Hungary.

(1) The provisions of the peace settlement effected after the war of 1914-1918 do not exclude the application to Hungarian nationals (including those who have opted for Hungarian nationality) of a general scheme of agrarian reform.

(2) There must be no inequality between Roumanians and Hungarians either in the terms of the agrarian law or in the way in which it is enforced.

(3) The words "retention and liquidation" mentioned in Article 250, which relates only to the territories ceded by Hungary, apply solely to the measures taken against the property of a Hungarian in the said territories and in so far as such owner is a Hungarian national.

Accordingly Sir Austen Chamberlain, on behalf of the Committee of Three, proposed that the Council should request the two Parties to conform to these principles, and should request Roumania to reinstate her judge on the Mixed Arbitral Tribunal. The report, moreover, contemplated the consequences entailed for the Parties, in the event of a refusal by one or both of them to accept these proposals.

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At the four public meetings which the Council devoted to the examination of this question, the Hungarian and Roumanian representatives made various statements of their point of view as regards the substance of the question and the proposals of the Committee of Three.

As regards the second point, Count Apponyi declared that he could not accept the proposals and that he did not recognise the legal value of the principles set forth in the report of the British representative. He said that, in his opinion, the Council could neither impose them upon the Parties, nor attach sanctions to the non-acceptance of the proposals. He renewed his proposal that the Permanent Court of International Justice should be asked for an advisory opinion on the question whether the Mixed Arbitral Tribunal had exceeded its powers. He further suggested that the opinion of the Court should also be sought as to whether the three principles enumerated in the draft resolution of the Committee of Three had, in whole or in part, been rendered obligatory for Roumania and Hungary by the acceptance of the Treaty of Trianon.

The Roumanian representative said that the acceptance of conclusions of the report would make possible arbitration between the parties; that he approved the principles set forth in the report and accepted them provided that the Hungarian representative also did so.

The members of the Council then gave their respective opinions on the proposals of the Committee of Three, the general feeling being that they constituted a basis for a friendly settlement between the Parties.

The Council, with the exception of the Parties, decided, on the proposal of its President, to adopt the report of the Committee of Three up to, and including the recommendation concerning the invitation to the Parties to conform to the principles enumerated in the report, but not including the recommendation to be addressed to the Roumanian Government to reinstate its judge and the consequences to be attached to a refusal by the Parties to accept the report.

The Council felt that it was preferable not to ask the Hungarian and Roumanian representatives to give a final answer to the recommendations of the Committee of Three before referring them for careful and detailed examination by their Governments. It accordingly invited the representatives of the parties to bring the recommendations of the Committee and of the debates of the Council to the knowledge of their Governments so that the latter would be able to communicate their opinion to the Council by the intermediary of the Secretary-General before the December session. The Council would then be in a position to examine, if necessary, what measures should be taken.

When accepting the resolution of the Council, the German and Netherlands representatives said that, if the two parties did not accept the friendly settlement proposed by the Committee, it would perhaps be advisable and useful to consult the Permanent Court of International Justice. The Italian, Colombian and Finnish representatives underlined the legal aspect of the question and the fact that the Council's decision was in the nature of a friendly intervention.

At the request of his colleagues the British representative agreed to remain rapporteur for this question, should it again come before the Council.

### **3. — LIQUIDATION OF THE PROPERTY OF GRECO-BULGARIAN REFUGEES**

Progress in the liquidation of the property of Greek and Bulgarian refugees was noted by the Council on September 3rd.

The rapporteur, Sir Austen Chamberlain, explained that the work of valuation or liquidation was proceeding, the number of liquidations having risen from 7,600 to 10,600 since the last meeting of the Council. The question of compensation presented difficulties of a technical and financial character and negotiations as to how these commitments were to be met were proceeding between the Bulgarian and Greek Governments and the Mixed Commission for the Exchange of Refugees.

In view of these difficulties the Council decided, at the suggestion of the rapporteur, to request the League Financial Committee to give advice on any technical aspects of the problem in regard to which the President of the Mixed Commission might consult it. It expressed the hope that it would no longer be necessary for the Council to occupy itself with this question.

### **4. — THE CONCILIATION COMMISSION FOR THE GRECO-BULGARIAN FRONTIER**

The Council, on the report of the British representative, decided for the moment to refrain from appointing the chairman of the Conciliation Commission for the Greco-Bulgarian Frontier.

On the departure of the Swedish officers at present on mission at the frontier, the Commission will consist of officials of the Foreign Offices concerned and officers from the two frontier guard services.

The Bulgarian and Greek representatives, M. Mikoff and M. Dendramis, expressed their agreement with this decision.

## VIII. — Social and Humanitarian Questions<sup>1</sup>

### 1. — TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS (1)

#### *Work of the Committee.*

The report of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs on its ninth session was approved by the Assembly on September 20th.

In view of the gravity of certain statements with regard to the position of the anti-drug campaign, the Assembly Committee dealing with social questions earnestly recommended that all delegates, on their return to their countries, should urge upon the competent authorities the necessity for drastic action, recalling that the League could only grapple with this problem to the extent to which it was aided by individual Governments. Attention was drawn to the importance of bringing the Opium Convention of 1925 into force.

The Assembly earnestly recommended the report and resolutions of the Advisory Committee to the attention of States Members of the League.

#### *Extraordinary Session of the Advisory Committee on Traffic in Opium and other Dangerous Drugs*

The tenth session of the Advisory Committee on Traffic in Opium opened on September 28th at Geneva, with Sir John Campbell (India) in the chair.

This extraordinary session was summoned to discuss a suggestion of the Italian representative to the effect that the Committee should draw up concrete proposals (1) with a view to studying the causes of drug smuggling and recommending penalties and other measures, the adoption of which might contribute to suppressing this practice, (2) with a view to limiting the manufacture of drugs to the quantities required for medical and scientific purposes.

The majority of the members of the Committee were in favour of summoning an extraordinary session to discuss the general question of the clandestine traffic subject to the condition that the discussion should be restricted to measures falling within the scope of the Hague and Geneva Conventions.

The Council authorised the Chairman of the Committee to hold this meeting immediately after the Assembly, should circumstances prove its necessity.

In addition to the two questions mentioned above the Committee will consider the method to be adopted for including in the annual reports of Governments statistics of seizures of drugs, the creation of an international syndicate of drug manufacturers (proposal of Dr. Anselmino, Germany), methods for the communication of non-official information on opium production in Persia, and the reservations made by the Swedish Government in acceding to the Convention adopted by the Second Opium Conference (Geneva 1925).

The following are taking part in the work of this session :

#### *Members :*

Sir John Campbell (India), Dr. Carrière (Switzerland), Dr. Anselmino (Germany), Dr. Cuellar (Bolivia), M. Bourgeois (France), Sir Malcolm Delevingne (Great Britain), M. Cavazzoni (Italy), M. Gallavresi (Italian substitute) M. Sato (Japan), M. v. Wettum (Netherlands), M. Ferreira (Portugal), M. Fotitch (Serb-Croat-Slovene Kingdom), Prince Charoon (Siam).

#### *Assessors :*

Mr. L. A. Lyall and Colonel A. Woods.

Mr. Pinkney Tuck (United States of America).

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(1) See Resolutions of the Assembly, p. 317.

### *Opium Production in Persia.* (1)

The report of the Commission of Enquiry into Opium Production in Persia (1) was noted by the Assembly on September 20th.

The Assembly expressed its warm appreciation of the work of the Commission, which had succeeded in collecting a large amount of first-hand information on the cultivation of the opium poppy in Persia and its possible replacement by other crops or industries. It drew especial attention to the good-will shown by the Persian Government and its readiness to further the League's efforts to combat the drug evil. This it regarded as particularly comforting in view of the recent announcement that another producing country — India — was taking steps to reduce progressively opium export for non-medicinal purposes, so as to abolish it altogether within a definite period.

The Assembly hoped that the example set by these two Governments would soon be followed by the other countries producing opium and the coca-leaf and manufacturing their derivatives.

The experiment made in sending a Commission of Enquiry to Persia was regarded by the Assembly as being of si great value that it considered that the League should not lose sight of the further development of the policy thus inaugurated.

Noting the statement of the Persian Government that Persia would be unable to execute the programme of reduction unless granted equal opportunities in the trade in medicinal opium and facilities for putting into effect reasonable measures for fiscal and economic readjustment, such as tariff autonomy, the Assembly urged Governments to give favourable attention to these conditions. It requested the Persian Government to keep the League informed of the progress made in the execution of its programme of reduction.

The Assembly recommended that all opium-growing countries should adopt either legislation similar to that contemplated by the Persian Government or equivalent measures.

### 2. — TRAFFIC IN WOMEN AND CHILDREN (1)

The Assembly noted the report of the Traffic in Women and Children Committee on September 20th.

A special Tribute was paid to the work of the Body of Experts on the Traffic in Women. The discussion in the Assembly Committee dealing with social questions centred on the question of licensed houses and measures in force with regard to souteneurs and procurers. The Assembly associated itself with the Traffic in Women and Children Committee's recommendations in this respect and requested it to examine as soon as possible the desirability of recommending to all Governments the abolition of the system of licensed houses.

It recommended the first part of the report of the Special Body of Experts to the attention of the Governments of all States.

### 3. — CHILD WELFARE (1)

The report of the Child Welfare Committee was noted by the Assembly on September 20th.

The Assembly recognised that the work of the Committee was considerable, and that great efforts had been made to bring it into line with the recommendations of the Assembly and the Council. The Committee had endeavoured to make a judicious choice of the questions to be placed on its agenda, so as to concentrate on

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(1) See Resolutions of the Assembly, p. 318.

problems whose study and solution were of practical value to Governments. It had pursued its enquiry into the effects of the cinematograph on children, the position of illegitimate children, the effect of family allowances on child welfare, and mental and physical recreation of the child. It had prepared two draft international conventions on the repatriation and relief of minors and the execution of judgments concerning the maintenance of minors by persons living abroad.

#### 4. — PROTECTION OF WOMEN AND CHILDREN IN THE NEAR EAST (1)

A final report on the five years' work of the Aleppo Branch of the Commission for the Protection of Women and Children in the Near East was presented to the Assembly by Miss Karen Jeppe in compliance with the request made at the seventh session of the Assembly.

• The Commission was originally constituted as a Commission of Enquiry into deportations of women and children in the Far East, the actual rescue work beginning in March 1922. In all, 1600 people have been rescued at an expense of a little over £18,000—an average cost of £11.5s per head, including cost of administration, maintenance of the rescue home, board, clothing, medical care, education and the settling on the land of some of the refugees. Seventy-five per cent of the rescued have succeeded in getting into touch with their relatives and 400 have become self-supporting.<sup>1</sup>

The last year, Miss Jeppe said, had been one of good progress. The French Government, had supported the Commission wholeheartedly. The contributions from various sources, including the Lord Mayor's Fund and Dr. Lepsius' Mission (Germany), had exceeded £6,000, and the number of rescued had been the largest on record for any single year, namely 325.

The actual rescue work is now completed and the League's official connection with the Commission is at an end. Miss Jeppe has still a certain number of refugees at the Aleppo Branch and is continuing in a private capacity her efforts to restore these people to a normal life.

The Assembly approved Miss Jeppe's report and expressed its appreciation of her work for the protection of women and children in the Near East. It hoped that the generous financial support given to Miss Jeppe by voluntary organisations would be continued.

#### 5. — THE SLAVERY CONVENTION

The Assembly noted the information communicated to the League by different Governments (the British Empire, Abyssinia, India, Portugal, the Sudan) in accordance with the resolution adopted at its seventh session.

At meetings of the Sixth Assembly Committee, the delegates of certain States pointed out, that, in view of the fact that their legislation was already in conformity with the provisions of the Slavery Convention of 1926, and considering that the progress anticipated as a result of the Convention would in certain respects be slow, although steady, parties to the Convention should not be expected to furnish every year a lengthy report on the subject.

On the same occasion, the British representative informed the Committee that, a deficiency having been discovered in the legislation of Sierra Leone, an ordinance was being prepared to remedy it and that a special session of the Legislative Council of Sierra Leone had been convened to bring the ordinance into effect.

Noting that the number of ratifications was still very small, the Assembly expressed the hope that the States which had signed the Convention would ratify it as soon as possible.

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(1) See Resolutions of the Assembly, p. 318.

## 6. — THE INTERNATIONAL RELIEF UNION (1)

The Council, on September 3rd, took note of the Convention and Statute establishing an International Union of Relief for populations stricken by disaster.

The rapporteur, M. Scialoja (Italy), drew attention to the fact that nearly all the delegates had stated that they were prepared to recommend the signature of the Convention to their Governments. The representatives of the International Red Cross organisations were highly gratified at the progress made towards the realisation of the scheme and had accepted the tasks devolving upon them as soon as the Union was founded. M. Scialoja recalled that the representative of the League of Red Cross Societies had been authorised by the American Red Cross to declare that the latter desired to associate itself entirely with the work undertaken.

The Council, on the proposal of the rapporteur, instructed the Secretary-General to communicate the text of the Convention and Statutes to all States not members of the League and not represented at the Conference. In order to enlist for this humanitarian undertaking the support which is essential for it, the Council decided to communicate to the Assembly the results of the Conference.

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The Second Assembly Committee having stated its opinion that the work undertaken was in all points in conformity with the social and humanitarian programme of the League and designed to fill a gap in international law, the Assembly took note of the creation the Union and expressed its conviction that Governments would definitely decide to co-operate in this work of international solidarity.

In accordance with the suggestions of the Council, the Assembly invited the President of the Conference which had drawn up the Statutes of the Union and the members and experts of the Preparatory Committee to hold themselves at the Councils' disposal to propose to it any measures that might be calculated to facilitate the putting into force and application of the Convention.

## 7. — REFUGEES (2)

Measures in favour of refugees were considered by the Assembly and the Council.

The problems of Russian and Armenian refugees have occupied the League for some years; and have been dealt with by the High Commissioner for Refugees, Dr. Nansen, and the International Labour Office. The first phase of the refugee problem—the influx into countries of large numbers of disorganised and destitute refugees—came to an end some time ago and the problems before the League during the past few years concern the anomalous status of refugees, their employment and settlement.

The first of these problems has been dealt with by the issue of identity certificates, the second by the transfer of refugees to European and overseas countries where there were opportunities for employment, the third by land settlement schemes.

At its eighth session the Assembly devoted special attention to the question of the legal status of refugees and invited the High Commissioner to summon a small conference to make proposals to the Council on measures to ensure legal rights in respect of property, marriage contracts and other matters.

With regard to the settlement of Armenian refugees in Syria, the Assembly had before it a comprehensive report from the Advisory Committee attached to the High Commission for Refugees.

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(1) See Resolutions of the Assembly, p. 318.

(2) See Resolutions of the Assembly, p. 319.



At the beginning of 1927 there were 90,000 Armenian refugees in Syria, 40,000 of whom were in camps and needing assistance, 12,000 in a most precarious situation and 28,000 in casual employment.

To cope with this situation a joint Armenian sub-committee attached to the High Commissioner drew up settlement schemes and constituted a revolving fund. The contributions to this fund have so far produced £35,500. The sum of £25,000 has been contributed by the Lebanon Government, the rest by the High Commissioner and philanthropic organisations.

The Assembly expressed its appreciation of these measures and expressed the hope that the necessary funds would be secured to continue the work in cooperation with the Mandatory for Syria.

The Council also considered the question of the settlement of Armenian refugees in Erivan and decided on the proposal of the Roumanian representative to address a fresh appeal to Governments for assistance.

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As regards the overseas settlement of refugees, proposals have been received by the International Labour Office both from South American Governments and responsible private enterprises in Argentine, Bolivia, Brazil, Paraguay and Peru, to receive refugee immigrants, for land settlement, to the number of 30,000 in return for an advance of some £20 per head from the revolving fund.

A second Inter-Governmental Conference was accordingly convened and met in Geneva on June 15th and 16th, 1927 with M. Veverka (Czechoslovakia) in the Chair. It approved in principle of overseas settlement for Russian and Armenian refugees, and expressed the hope that the Governments at present expending large sums for the maintenance of refugees would find it possible to adopt one of the means recommended by the Inter-Governmental Conference for advancing the necessary (emigration) expenses. In the Conference's opinion the application of their recommendations would enable the interested Governments to eliminate from their budgets in a comparatively short space of time the heavy annual expenditure of £2,000,000 at present incurred by them for the maintenance of unemployed refugees without involving themselves in any absolute capital expenditure. The German Government has already promised a first contribution of 100,000 R.Mks. to the revolving fund. The Czechoslovak, Polish and Serb-Croat-Slovene delegates to the Conference intimated the willingness in principle of their Governments to participate in this scheme either by means of advances, financial guarantees or the issue of the Nansen stamps on their territories.

The Assembly accordingly urged Governments to inform the High Commissioner what measures they were prepared to take for financing the settlement of refugees from their territories.

The extension to other refugees of the measures taken to assist Armenians and Russians was considered by the Council.

The High Commissioner was requested to enquire into applications submitted by Syrian, Assyro-Chaldean, Montenegrin and Turkish refugees and to submit proposals on the subject to the Council.

## 8. — ALCOHOLISM (1)

The question of alcoholism was first brought before the Assembly in 1926 by the Finnish, Polish and Swedish delegations, in the form of a draft resolution proposing that this matter should be placed on the agenda of its next session.

During the eighth session of the Assembly the question was discussed by the Second Committee, the Finnish, Polish and Swedish delegations finally deciding to present their original proposal in a somewhat modified form.

(1) See Resolutions of the Assembly, p. 319.

The object of the new proposal was to co-ordinate and centralise international enquiries of a scientific character into the question of alcoholism. Alcoholism, in the terms of this proposal, was understood to mean the abuse of alcoholic liquors and its injurious effect upon the individual and upon society.

The delegations observed that the various aspects of the problem had hitherto been dealt with by different League organisations, including the International Labour Office. They urged that a closer co-ordination of the various enquiries seemed desirable, and that the best means of securing such collaboration would be to appoint a committee of experts. The Czechoslovak, Danish and Belgian delegations, which had endorsed the original proposal, also adhered to it in its revised form.

The Assembly decided to include in the agenda of its ninth session the resolution which provides for the appointment of a committee of experts on alcoholism. This body would be called upon to study the aspects of the question which fall within the competence of the League and might be the subject of scientific or practical work.

## IX. — Miscellaneous Questions.

### 1. — CONFERENCE OF PRESS EXPERTS

On September 2nd, the Council took note of the results of the Conference of Press Experts held at Geneva in August.

The Rapporteur, M. de Brouckère (Belgium), drew attention to the fact that the resolutions voted by the Conference might be divided into two series—the first including those concerning press rates, code telegrams, improvements in communications, the conveyance of news-papers and identity cards for journalists; the second those relating to the protection of press news, professional facilities for journalists and censorship in time of peace.

The first series of resolutions, it was noted, still needed exhaustive technical study, and the Conference had asked the Council to refer them to the Organisation for Communications and Transit. In regard to the second group, it would be necessary for the Council to approach the different Governments.

The Council requested the Secretary-General to ask the Organisation for Communications and Transit to continue, with the help of Press associations interested in these questions, the technical study of the first series of resolutions. Examination of the second series was postponed until December.

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The Assembly, noting the success of the Conference, expressed its agreement with the measures taken by the Council. It noted with satisfaction that the Council, in accordance with the recommendations of the Conference, had declared that, if at some future time a further study of international press problems seemed necessary and desirable to the circles concerned, it would in principle be willing to lend the assistance of the League Organisations, to organise an enquiry or summon a Conference for this purpose.

### 2. — CONSTRUCTION OF AN ASSEMBLY HALL

The question of the new League buildings was discussed by the Assembly and its Fourth Committee.

At the beginning of its eighth session, the Assembly appointed a Committee of Five—M. Adatci (Japan), M. Osusky (Czechoslovakia), M. Politis (Greece),

M. Urrutia (Colombia) and Sir Edward Hiltou Young (British Empire)—to present suggestions with regard to the decision to be taken in the matter.

The jury of architects had been unable to make a definite choice among the numerous plans submitted and had awarded nine first prizes.

The Committee was of opinion that it would be impossible to take an immediate decision or, during the Assembly session, to make a complete study of the whole question. It nevertheless laid before the Assembly certain proposals, observing that most of the prize-winning plans, if executed, would have exceeded considerably the budget of the competition.

The Committee recommended in the first place that the original building fund of 15,400,000 francs should be increased to 19,500,000 francs. As regards the choice of a plan, it considered that it should be made from among the nine prize-winning plans, with any changes that might be necessary to satisfy practical and aesthetic requirements.

The Assembly instructed the Committee to continue to study the question with such expert assistance as it might desire. The decisions of the Committee will be submitted to the Council for ratification and communicated to the Assembly at its next session.

### 3. — BUDGET OF THE LEAGUE

The Assembly approved the audited accounts of the Secretariat and autonomous League organisations for 1926. It adopted the budget for 1928, which amounts to 25,333,817 francs.

Expenditure is divided as follows : 13,646,243 francs for the Secretariat and special organisations; 7,888,470 francs for the International Labour Office; 2,159,647 francs for the Permanent Court of International Justice. A sum of 1,375,000 francs is put aside for the League buildings at Geneva and 264,457 francs are allowed for permanent equipment expenses.

The Fourth Committee noted that the financial position of the League had continued to be satisfactory. The payment of contributions was being effected with greater regularity. Up to August 31st, 68 per cent of the contributions for 1927 had been paid.

The financial year 1926 shewed a surplus of approximately one and a half million francs, of which 500,000 francs were put aside towards the furnishing of the new League buildings and 873,000 francs were deducted from the contributions due in 1928.

The increase in the 1928 budget (25,333,817 francs as against 24,512,623 francs in 1927) is mainly due to the development of the work of the League. In its report to the Assembly, the Fourth Committee pointed out that this increase, all things considered, had not kept step with the new work entrusted to the League and with the resulting increase of work for the various organisations. Between 1922 and 1926, the budget had increased by 5 per cent and the staff by 27 per cent; during the same period, the number of documents translated into French increased by 89 per cent and that of documents translated into English by 71 per cent. During the same period, the documents passing through the Registry increased by 48 per cent, and the number of days during which Committees and Sub-Committees held meetings by 175 per cent. Statistics for the first months of 1927 indicated that there had been no falling off in this progressive movement since the end of 1926.

### 4. — GIFT FOR THE CONSTRUCTION AND ENDOWMENT OF A LEAGUE LIBRARY

On September 9th, Secretary-General informed the Council that, following certain tentative discussions, a group of American citizens were prepared, should the League desire to accept outside funds for the purpose, to furnish up to two million

dollars for the construction and endowment of a League Library which would provide full and adequate facilities for research work and for students. No conditions were attached to the gift, the League being left free to decide what proportion should be devoted to construction and what to endowment, and to take whatever measures might seem best as regards both construction and endowment. It was assumed, however, that the income from the endowment would be added to and not substituted for such amounts as the Assembly might from year to year appropriate for the Library and that those amounts would not be discontinued or reduced on account of the gift.

The Council decided that the establishment of such a Library would be in the best interests of the League, as it would contribute to the efficiency of the work done under its auspices, particularly in the technical fields, and that it would further be of the utmost value to the students of international relations, who are already more and more coming to the seat of the League as a natural centre for such studies. It accordingly decided unanimously to accept the gift in principle and to ask the Assembly, in view of its importance and permanent value, to confirm this acceptance. It further expressed the conviction that the purpose for which the gift was made could be fulfilled without imposing further financial liabilities on the Members of the League, and extended on behalf of the League its warmest thanks for the gift and its profound appreciation of the generous and enlightened spirit which prompted it.

On September 12th, the Council's resolution was read to the Assembly by its President, M. Guani (Uruguay), who thereupon called on certain Members of the Assembly who had expressed a desire to speak and who seemed especially qualified to state the various reasons of common satisfaction. M. Motta, as President of the Swiss Confederation, associated the Confederation and the Canton of Geneva with the expressions of gratitude which had been so clearly shown in the applause which greeted the announcement, and expressed the belief that the co-operation of intellectual circles in the United States of America in the great work being done at Geneva constituted a guarantee both of peace and for the future development of the League. M. Osusky (Czechoslovakia), stated that, as Chairman of the Supervisory Commission, he felt that the gift and its purpose were in perfect agreement with the financial rules and general purposes of the League, and further expressed his pleasure that in this way citizens of America had given tangible proof of their appreciation of the efforts made by the League. M. van Eysinga (Netherlands), as Chairman of the Fourth (Budget) Committee of the League, associated himself with these views, adding that since the Library at The Hague had been endowed by another American, Mr. Carnegie, he as a Dutchman was particularly sensible of the significance of the gift.

The President of the Assembly then added a general expression of appreciation on behalf of the forty-seven States represented. He expressed the view that, through this gift, the seat of the League would become an international centre of information almost unique in the world. The Assembly thereupon unanimously confirmed the Council's acceptance of the gift, after which the donor was announced as Mr. John D. Rockefeller, Jr., who, through the work of the Rockefeller Foundation, was already well known to those associated with the League, especially in its humanitarian and social aspect. Shortly after, Mr. Rockefeller, in reply to a cable from the Secretary-General, wired :

"Happy to have opportunity to co-operate in so good a cause with a group unselfishly devoted to the promotion of better understanding among nations. Appreciate profoundly the action of Council, Assembly and Secretariat."

Certain immediate action desirable for the early execution of the Library project was then discussed in both the Fourth Committee of the Assembly and the Supervisory Commission and authority given for the expenditure of the amounts necessary, first, for consultation with a small committee of Library experts and others

as to the scope, purpose and development of the Library, and, second, for securing the benefit of recent library construction methods in the United States either by sending the League librarian and possibly architect to the United States or inviting an American expert to Geneva.

## X. — Forthcoming Events.

- October 17th : Diplomatic Conference for the Abolition of Export and Import Prohibitions and Restrictions, Geneva.  
October 24th : Permanent Mandates Commission, Geneva.  
October 26th : Malaria Commission, Geneva.  
October 27th : Sub-Committee of Experts on Maritime Tonnage Measurement, London.  
October 27th : Cancer Commission, Geneva.  
October 28th : Health Committee, Geneva.  
November 1st : Final Conference of German Interchange of Medical Officers, Geneva.  
November 10th : Permanent Road Traffic Committee, Geneva.  
November 15th : Special Body of Experts on Traffic in Women and Children, Geneva.  
November 29th : Financial Committee, Geneva.

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## Annex.

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### RESOLUTIONS OF THE ASSEMBLY

#### 1. — Reduction of Armaments.

##### *Declaration concerning wars of Aggression.*

The Assembly,

Recognising the solidarity which unites the community of nations;  
Being inspired by a firm desire for the maintenance of general peace;  
Being convinced that a war of aggression can never serve as a means of settling international disputes and is, in consequence, an international crime;  
Considering that a solemn renunciation of all wars of aggression would tend to create an atmosphere of general confidence calculated to facilitate the progress of the work undertaken with a view to disarmament :

Declares :

- (1) That all wars of aggression are, and shall always be, prohibited;
- (2) That every pacific means must be employed to settle disputes, of every description, which may arise between States.

The Assembly declares that the States Members of the League are under an obligation to conform to these principles.

*Arbitration, Security, Disarmament*  
*and the Work of the Preparatory Commission for the Disarmament Conference.*

*Resolution No. I.*

Whereas in certain countries there is at present a close connection, from the technical point of view and from the point of view of organisation, between the requirements and developments of civil aviation and those of military aviation;

And whereas this connection leads to difficulties in limiting air armaments without hampering civil aviation :

The Assembly,

Declares that it is desirable for this purpose that the development of civil aviation should be directed solely towards economic ends to the exclusion of military interest;

Recommends all States Members of the League of Nations to act as far as possible on the recommendations made in this connection by the Preparatory Commission for the Disarmament Conference;

And requests the Council to instruct the Advisory and Technical Committee for Communications and Transit to consider practical methods likely to facilitate the conclusion of the agreements between aviation undertakings in the various countries which are referred to in these recommendations.

*Resolution No. II.*

The Assembly,

Having taken note of the report approved by the Committee of the Council on March 15th, 1917, with regard to the methods and regulations which would enable the Council to take such decisions as may be necessary to enforce the obligations of the Covenant as expeditiously as possible :

Approves this report and recommends its adoption by the Council as a valuable guide which, without restricting the Council's liberty to decide at any moment the best methods to be adopted in the event of any threat to peace, summarises the results of experience, of the procedure already followed and of the studies so far carried out with a view to the best possible organisation of its activities in case of emergency.

*Resolution No. III.*

The Assembly,

Being desirous of adopting all measures likely to make possible the prompt application of the system contemplated by the Covenant for the maintenance of peace, and of giving to States Members of the League of Nations a greater feeling of security;

Convinced that, in this connection, it is of the utmost importance to ensure the rapid working of the organs of the League of Nations at times of emergency;

Considering that their intervention in the shortest possible time may prove to be an essential condition for the prevention of war;

Trusting that greater facilities for the immediate operation of the machinery of the League of Nations will assist the work of disarmament;

Inspired by the spirit and provisions of the Covenant :

Reasserts that it is the obligation of the States Members of the League of Nations to facilitate by every means in their power the rapid meeting of the Council at times of emergency;

Invites the States Members of the League of Nations to take in advance all necessary measures for this purpose;

Congratulates the Council on having studied the question, to which the Assembly attaches the greatest importance, and requests the Council to continue its studies, particularly in regard to telephonic communications between the seat of the League and the different capitals, the identification of aircraft making journeys of importance to the League of Nations at times of emergency, the establishment of a radio-telegraphic station at the seat of the League, the adaptation of a landing-ground in the neighbourhood of the seat of the League, and, more generally, provisions enabling the League of Nations to be prepared at any moment to meet any emergency with the greatest possible rapidity.

*Resolution No. IV.*

The Assembly,

Having taken note of the plan submitted to the Council by the Financial Committee with regard to the Finnish Government's proposal for ensuring financial aid to any State victim of aggression;

Being convinced of the need for a system of financial aid for contributing to the organisation of security, which is an indispensable preliminary to general disarmament :

Requests the Council to continue its examination of the plan, which the Committee declares to be necessary, and to prepare and complete it with a view to its final adoption either by a Disarmament Conference or by a special Conference to be convened for the purpose.

The Assembly suggests to the Council that it would be advisable to submit the plan referred to, and the documents relating to Article 16 prepared by the Legal Section of the Secretariat, the observations submitted by the several Governments and the Minutes of the discussions in the Third Committee on this subject, to the Committee which it proposes to appoint in pursuance of its resolution relative to arbitration, security and disarmament.

*Resolution No. V.*

The Assembly,

Noting the progress achieved in the technical sphere by the Preparatory Disarmament Commission and by the Committee of the Council towards enabling the Council to be rapidly convened and to take decisions in case of emergency;

Being anxious to bring about the political conditions calculated to assure the success of the work of disarmament;

Being convinced that the principal condition of this success is that every State should be sure of not having to provide unaided for its security by means of its own armaments and should be able to rely also on the organised collective action of the League of Nations;

Affirming that such action should aim chiefly at forestalling or arresting any resort to war and if need be at effectively protecting any State victim of an aggression;

Being convinced that the burdens which may thereby be imposed on the different States will be the more readily accepted by them in proportion as :

- (a) They are shared in practice by a greater number of States;
- (b) The individual obligations of States have been more clearly defined and limited :

1. Recommends the progressive extension of arbitration by means of special or collective agreements, including agreements between States Members and non-Members of the League of Nations, so as to extend to all countries the mutual confidence essential to the complete success of the Conference on the Limitation and Reduction of Armaments;

2. Recalls its resolution of September 24th, 1916, which reads as follows :

“Being desirous that the investigations, in regard to which the Assembly itself took the initiative in its resolution of September 25th, 1925, should be brought to a successful conclusion as soon as possible, it requests the Council to call upon the Preparatory Commission to take steps to hasten the completion of the technical work and thus be able to draw up, at the beginning of next year, the programme for a Conference on the Limitation and Reduction of Armaments corresponding to existing conditions in regard to regional and general security, and it asks the Council to convene this Conference before the eighth ordinary session of the Assembly, unless material difficulties render this impossible.”

Accordingly requests the Council to urge the Preparatory Commission to hasten the completion of its technical work and to convene the Conference on the Limitation and Reduction of Armaments immediately this work has been completed;

3. Requests the Council to give the Preparatory Commission, whose task will not be confined to the preparation of an initial Conference on the limitation and reduction of armaments, and whose work must continue until the final goal has been achieved, the necessary instructions for the creation without delay of a Committee consisting of representatives of all the States which have seats on the Commission and are Members of the League of Nations, other States represented on the Commission being invited to sit on it if they so desire.

This Committee would be placed at the Commission's disposal and its duty would be to consider, on the lines indicated by the Commission, the measures capable of giving all States the guarantees of arbitration and security necessary to enable them to fix the level of their armaments at the lowest possible figures in an international disarmament agreement.

The Assembly considers that these measures should be sought :

In action by the League of Nations with a view to promoting, generalising, and co-ordinating special or collective agreements on arbitration and security;

In the systematic preparation of the machinery to be employed by the organs of the League of Nations with a view to enabling the Members of the League to perform their obligations under the various articles of the Covenant;

In agreements which the States Members of the League may conclude among themselves, irrespective of their obligations under the Covenant, with a view to making their commitments proportionate to the degree of solidarity of a geographical or other nature existing between them and other States;

And, further, in an invitation from the Council to the several States to inform it of the measures which they would be prepared to take, irrespective of their obligations under the Covenant, to support the Council's decisions or recommendations in the event of a conflict breaking out in a given region, each State indicating that, in a particular case, either all its forces, or a certain part of its military, naval or air forces, could forthwith intervene in the conflict to support the Council's decisions or recommendations.

*Private Manufacture and Publicity of the Manufacture  
of Arms and Ammunition and Implements of War.*

The Assembly,

Having noted the report of the Special Committee appointed by the Council to draft a Convention on the supervision of the private manufacture and the publicity regarding the manufacture of arms and ammunition and of implements of war;

Reaffirming the importance it attaches to the establishment of a Convention which would enable non-producing and producing countries to be placed on an equal footing, as contemplated in the declaration embodied in the Final Act of the Conference for the Supervision of the International Trade in Arms and Ammunition and in Implements of War;

Convinced that the establishment of a Convention for the supervision of private manufacture and the publicity regarding manufacture is of the highest importance for the putting into force of the Convention on the International Trade :

Requests the Council to convey its views to the Special Committee, in order that the latter may agree upon a single text which will enable the Council to convene an international Conference as speedily as possible.

**2. — Legal and Constitutional Questions.**

*Progressive Codification of International Law.*

The Assembly,

Having considered the documents transmitted to it by the Council in conformity with its resolution of June 13th, 1927, and the report of the First Committee on the measures to be taken as a result of the work of the Committee of Experts for the Progressive Codification of International Law;

Considering that it is material for the progress of justice and the maintenance of peace to define, improve and develop international law;

Convinced that it is therefore the duty of the League to make every effort to contribute to the progressive codification of international law;

Observing that, on the basis of the work of the Committee of Experts, to which it pays a sincere tribute, systematic preparations can be made for a first Codification Conference, the holding of which in 1929 can already be contemplated :

Decides :

(1) To submit the following questions for examination by a first Conference :

- (a) Nationality;
- (b) Territorial Waters; and
- (c) Responsibility of States for Damage done in their Territory to the Person or Property of Foreigners;



(2) To request the Council to instruct the Secretariat to cause its services to study, on the lines indicated in the First Committee's report, the question of the Procedure of International Conferences and Procedure for the Conclusion and Drafting of Treaties;

(3) To instruct the Economic Committee of the League to study, in collaboration with the Permanent International Council for the Exploration of the Sea at Copenhagen and any other organisation specially interested in this matter, the question whether and in what terms, for what species and in what areas, international protection of marine fauna could be established. The Committee will report to the Council the results of its enquiry indicating whether a Conference of Experts should be convened for such purpose at an early date;

(4) To ask the Council to make arrangements with the Netherlands Government with a view to choosing The Hague as the meeting-place of the first Codification Conference, and to summon the Conference as soon as the preparations for it are sufficiently advanced;

(5) To entrust the Council with the task of appointing, at the earliest possible date, a Preparatory Committee, composed of five persons possessing a wide knowledge of international practice, legal precedents, and scientific data relating to the questions coming within the scope of the first Codification Conference, this Committee being instructed to prepare a report comprising sufficiently detailed bases of discussion on each question, in accordance with the indications contained in the report of the First Committee;

(6) To recommend the Council to attach to the invitations draft regulations for the Conference, indicating a number of general rules which should govern the discussions, more particularly as regards :

(a) The possibility, if occasion should arise, of the States represented at the Conference adopting amongst themselves rules accepted by a majority vote;

(b) The possibility of drawing up, in respect of such subjects as may lend themselves thereto, a comprehensive convention and, within the framework of that convention, other more restricted conventions;

(c) The organisation of a system for the subsequent revision of the agreements entered into; and

(d) The spirit of the codification, which should not confine itself to the mere registration of the existing rules, but should aim at adapting them as far as possible to contemporary conditions of international life;

(7) To ask the Committee of Experts at its next session to complete the work it has already begun.

*Proposal by the Delegation of Paraguay for the Preparation of a General and Comprehensive Plan of Codification of International Law.*

The Assembly,

Having taken note of the First Committee's report on the proposal of the delegation of Paraguay for the preparation of a general and comprehensive plan of codification of international law;

Desires to place on record the importance which it attaches to the spirit underlying the proposal of the delegation of Paraguay;

Requests the Council to invite the Committee of Experts to consider at its next session under what conditions the work referred to in the said proposal could be undertaken;

And will decide later upon the course to be adopted after taking note of the suggestions of the Committee of Experts and the opinion of the Council in regard thereto.

*Adhesion to international Agreements given subject to Ratification.*

The procedure of accession to international agreements given subject to ratification is an admissible one which the League should neither discourage nor encourage.

Nevertheless, if a State gives its accession, it should know that, if it does not expressly mention that this accession is subject to ratification, it shall be deemed to have undertaken a final obligation. If it desires to prevent this consequence, it must expressly declare at the time of accession that the accession is given subject to ratification.

*The system of the single transferable vote, and the principle of proportional representation in general, in connection with the problem of the election of the non permanent Members of the Council.*

The Assembly adopts the Report of the Sixth Committee.

### 3. — Technical Questions.

#### a) *The Health Organisation.*

#### WORK OF THE HEALTH ORGANISATION.

The Assembly,

Having taken note of the reports dealing with the work of the Health Organisation of the League during the past year, expresses its gratification at the continued development of its international activities;

Notes with satisfaction the growth and increasing usefulness of the work of the Epidemiological Intelligence Bureau at Singapore, due in large measure to the sympathetic co-operation of all Eastern Administrations, in whose interest it was primarily created;

Notes with satisfaction the terms of the Agreement concluded between the League of Nations and the Permanent Committee of the *Office international d'hygiène publique*, whereby the services of the Singapore Bureau will be made available in the discharge, on behalf of the Office, of certain of the obligations imposed by the International Sanitary Convention of Paris 1926 and also the further agreement recently concluded with the object of increasing the mutual co-operation in other directions between the Health Organisation and the *Office international d'hygiène publique*;

Expresses its appreciation of the work accomplished by the Malaria Commission, the Sleeping-Sickness Commission, and the International Rabies Conference, and of the progress made in the investigations now being carried out with regard to infant mortality and health insurance.

Further, the Assembly, noting the recommendations which have been made by the International Pacific Health Conference held in Melbourne in December 1926 in relation to the work which might be undertaken by the Health Organisation for the study of health problems in the Pacific area, expresses its hope that the possibilities of action in this sense will receive full and early consideration by the Health Committee.

The Assembly records its unqualified approval and appreciation of the services rendered to international public health by the Health Committee and its expert Commissions.

#### RESULTS OF THE MISSION CARRIED OUT IN CERTAIN LATIN-AMERICAN COUNTRIES BY THE PRESIDENT OF THE HEALTH COMMITTEE

The Assembly,

(1) Having taken note of the report of the President of the Health Committee on the possibilities of technical co-operation with public health and medical authorities in Latin-American countries, and also of the report on the work of the Conference of Health Experts on Infant Welfare held at Montevideo :

(2) Notes with satisfaction that the activities of the Health Organisation of the League of Nations have extended to several countries of Latin-America and that fruitful co-operation may be anticipated as the result of the Health Committee's mission;

(3) Welcomes the practical suggestions for continued co-operation which have been made by the health authorities and experts of Argentina, Brazil and Uruguay;

(4) Considers that the realisation of these suggestions would result in creating links between the health work of the League and the activities of national health administrations in these countries and would represent a good method of developing the work of the League's technical organisations in Latin America;

(5) Requests the Council, after having obtained the Health Committee's advice on these different suggestions for co-operation with Latin-American countries to consider how they may be put into practice.

b) *The Economic and Financial Organisation.*

INTERNATIONAL ECONOMIC CONFERENCE.  
ECONOMIC ORGANISATION OF THE LEAGUE OF NATIONS.

I. *International Economic Conference.*

The Assembly,

Takes note of the report of the Economic Conference held in May last, in accordance with the initiative taken by the Assembly at its sixth ordinary session;

Congratulates sincerely the President and the members of the Conference appointed by the Governments of fifty countries upon the fact that, comprising so many qualifications, and representing every variety of responsible opinion, they were able to agree unanimously upon recommendations at once definite in character and wide in range, whose adoption would effect a substantial improvement in the present economic policies of the world;

Notes with satisfaction that many Governments have already made declarations accepting the principles laid down by the Conference and stating their intention of co-operating in their application, while no declaration in the contrary sense has been made;

Believes, therefore, that there is every reason to hope for universal approval when the public opinion of all countries has been sufficiently instructed;

Recommends the resolutions of the Conference, as the Council did in June 1927, to the favourable consideration of all Governments, and trusts that those Governments which have not yet declared their support will shortly be able to do so;

Invites the Economic Organisation of the League of Nations to prepare as soon as possible a summary of the replies of the various Governments as to their attitude to the recommendations of the International Economic Conference, and to make known the action that the various Governments have taken or may take in pursuance of the recommendations of the Economic Conference;

Trusts that the economic policies of all countries may develop in accordance with the principles laid down by the Conference and desires that the Economic Organisation of the League should take these recommendations as the basis of its work;

Trusts, in particular, that the recommendations of the Conference relating to tariffs and commercial policy will be put into effect, not only by national action and bilateral agreements but also, whenever practicable, by collective conventions reached by means of international conferences of accredited representatives with the aim of gradually evolving among the trading nations of the world, and particularly among those of Europe, common lines of policy beneficial to all and not subject to the uncertainties of purely bilateral bargaining, careful attention being given to the special conditions existing at any moment and to the necessity of realising this policy by stages and without undue disturbance;

Expects the Council of the League of Nations and the Economic Organisation to devote their untiring efforts to the realisation of this urgent task and hopes that the Governments will give to it their cordial support and active collaboration.

II. *Economic Organisation of the League of Nations.*

Whereas, in addition to the economic tasks hitherto undertaken by the League, much important and extensive work will result from the recommendations of the Economic Conference; and

Whereas it is essential that the different interests and organisations which collaborated in the preparation of the Conference should continue to give their support and advice in the work of securing effect to its recommendations; and

Whereas the Conference took the following resolution :

“The Conference wishes in the first instance to express its high appreciation of the work of the Economic Committee and the Secretariat of the League.

“The Conference is of opinion that the success of its work will depend upon execution of the principles laid down.

“With regard to the action to be taken on its recommendations, the Conference, while offering no suggestion as to a permanent organisation, cannot do better than draw the Council's attention to the well-balanced composition of the Preparatory Committee, which has yielded excellent results in the preparatory work of the Conference :”

The Assembly considers :

(a) That the Economic Committee should continue to be, as at present, the organ through which the Council deals with economic affairs and that it should be constituted—under such rules as the Council may consider appropriate for its effective functioning—so as to be best suited for its principal work which, in the near future at least, will lie within the sphere of the economic relations between States and their economic policies so far as they have international aspects; it should consist of not more than fifteen members;

(b) That the Economic Committee should have the power to appoint temporary sub-committees of experts for preparatory work and, subject to Council approval and in consultation with the States in question, to name economic correspondents in countries which have no member on the Committee;

(c) That a "Consultative Committee" the object of which is to follow the application of the Economic Conference recommendations should be constituted by the Council.

It might be composed of about thirty-five members, as was the Preparatory Committee, and the conditions of equilibrium attained in the latter between the various elements should be maintained as far as possible.

It should therefore include, among others, persons competent in industry, commerce, agriculture, finance, transport, labour questions, and questions relative to consumption.

The International Labour Office should be invited to submit the names of three labour members for this Committee.

The Council will doubtless also wish to secure for the Committee the co-operation of the International Institute of Agriculture and of the International Chamber of Commerce.

Five members chosen by the Economic Committee should take part in the work of the Consultative Committee with the same rights as the other members.

The Consultative Committee should submit its report directly to the Council of the League of Nations. At the same time, it would forward a copy to the Economic Committee and to the other technical organisations concerned.

#### WORK OF THE ECONOMIC COMMITTEE

The Assembly,

1. Reiterating its conviction that the conclusion of an international convention for the abolition of import and export prohibitions and restrictions would greatly facilitate the recovery and future development of world trade, appeals to all Governments to send duly authorised representatives to the Conference which will take place at Geneva on October 17th, 1927, and expresses the most earnest hope that no efforts will be spared to bring the work of the Conference to a successful issue;

2. Notes with satisfaction that steps already been taken by the Council to set in motion the preparatory work connected with the execution of certain urgent resolutions of the International Economic Conference, in particular those relating to tariffs and commercial treaties, to the unification of Customs nomenclature and to the treatment of foreign nationals and enterprises duly admitted to carry out their activity on the territory of a foreign State;

3. Takes note of the ratifications of the International Convention relating to the Simplification of Customs Formalities and of the Protocol of 1923 on Arbitration Clauses during the past year, and expresses the hope that those States which have not yet found it possible to adhere to these two international Acts will do so at an early date;

4. Notes with satisfaction that it is proposed to convene a Conference in the near future with a view to achieving greater uniformity in economic statistics;

5. Notes with approval that the recommendation that the Economic and Financial Section of the Secretariat should issue a *Statistical Yearbook* has now borne fruit, and recommends that this valuable volume should become one of the annual publications of the League;

6. Observes with satisfaction the progress which the Economic Committee has made in the study of the question of false declarations in Customs matters, of the progressive assimilation of laws relating to bills of exchange and cheques, and of economic barometers, and hopes that no effort will be spared to bring this work to a successful issue;

7. Notes with satisfaction the progress made in the Economic Section's enquiries regarding the direct and indirect means placed at the disposal of foreign purchasers in the different countries for the purpose of satisfying themselves of the quality of the goods which they acquire in those countries;

Recommends that these enquiries should be pursued on the lines indicated in the provisional pamphlet communicated to the Second Committee and that the Governments should assist the Secretariat in order that a further publication, which should be as complete as possible, may be issued at an early date.

#### OPENING OF A CONVENTION RELATING TO THE EXECUTION OF FOREIGN ARBITRAL AWARDS

Whereas the World Economic Conference recommended the Economic Committee to endeavour to promote the extension in all countries of recourse to commercial arbitration;

And whereas, in connection with that recommendation, the Conference was of opinion that the beneficial results of the Protocol of 1923 in regard to the recognition of arbitration clauses in private contracts and particularly in commercial contracts would not be fully realised until provision was made ensuring the enforcement of arbitral awards;

And whereas the Economic Conference recommended the Council of the League of Nations to take steps to submit to all States for signature at an early date the text of an agreement providing for the execution of arbitral awards in commercial matters :

The Assembly,

Recognising the great importance which commercial circles attach to the settlement of this question;

And having regard to the favourable report submitted to it by the Second Committee after considering the various observations submitted and the various amendments proposed, as a result of the communication of a first draft to the Members of the League :

Decides to open the Convention immediately for signature by all the Members of the League and non-Member States which are already Contracting Parties to the above-mentioned Protocol of 1923;

And invites the Council to take whatever measures it may deem expedient to draw the attention of all Members of the League and all non-Member States to the value of the above-mentioned Protocol and Convention and to the conditions under which they may become Contracting Parties to these agreements.

#### WORK OF THE FINANCIAL COMMITTEE

The Assembly takes note of the activities of the Financial Committee and expresses its great satisfaction with the highly useful work accomplished by it.

#### SETTLEMENT OF GREEK REFUGEES AND FINANCIAL RECONSTRUCTION SCHEME

The Assembly;

Has learned with great interest of the successful result of the negotiations which have taken place with a view to the issue, under the auspices of the League of Nations, of a loan to enable the Greek Government to take measures of financial and monetary reorganisation, and to proceed with the settlement of the refugees,

In particular, expresses its appreciation of the plan which has been drawn up for the creation of a new bank of issue and for the stabilisation of the Greek currency;

Expresses its appreciation to all those who have collaborated in these investigations, and especially to the Greek Government and to the Financial Committee;

Approves the progress made in the refugee settlement work and expresses the hope that this work will soon be successfully brought to a close;

In conclusion, expresses the hope that the entire scheme which has now been elaborated will be fully successful.

#### WORK FOR THE SETTLEMENT OF BULGARIAN REFUGEES

The Assembly;

(1) Welcomes with great satisfaction the successful flotation of the Bulgarian Refugee Loan, providing funds for the carrying out of the scheme approved by the Council;

(2) Takes note of the progress already made in the work of making land and houses available for the occupation of the refugees,

(3) Expresses the hope that, during the coming year, it will be possible to record the completely satisfactory progress of the work of settlement;

(4) Desires to express its appreciation of the courage and resolution displayed by the Bulgarian Government and the Commissioner of the League of Nations in carrying out the scheme.

c) *Communications and Transit.*

RESULTS OF THE THIRD GENERAL CONFERENCE ON COMMUNICATIONS AND TRANSIT

The Assembly,

Expresses to the Advisory and Technical Committee for Communications and Transit its satisfaction for the work accomplished in the course of the year;

Is gratified that the Third General Conference on Communications and Transit has achieved successful results on all the items of its agenda and has contributed to the establishment of closer relations between the Organisation for Communications and Transit and the States non-Members of the League;

Invites the Advisory and Technical Committee to take in hand at an early date the study of the questions raised during the Conference's debates on the Committee's work;

Approves the provisions of the new Statute for the Communications and Transit Organisation for the application of which the Assembly's consent is necessary;

Attaching special importance to the collection and utilisation of information on communications, urges the Members of the League to facilitate the collection of the information necessary to the Organisation for Communications and Transit, in conformity with the resolutions adopted by the Conference, and trusts that, when undertaking the collection and utilisation of this information, the Advisory and Technical Committee will effect a constant improvement in the co-operation between the Organisation and the experts and administrations of the various countries, particularly of the non-European countries, whether Members of the League or not;

And invites the Members of the League to consider favourably the recommendations adopted by the Conference with regard to identity documents for persons without nationality.

d) *Intellectual Co-operation.*

WORK OF THE INTERNATIONAL COMMITTEE ON INTELLECTUAL CO-OPERATION

The Assembly has noted with satisfaction the favourable reports presented by the International Committee on Intellectual Co-operation and the Governing Body of the International Institute of Intellectual Co-operation. These reports show that the Intellectual Co-operation Organisation has now in hand a large number of definite and practical undertakings of international co-operation in regard to various scientific, artistic and literary activities, and that results have already been obtained.

The Assembly observes that, during the past year, several nations, in response to the appeal it made in the previous year, have made a grant to the International Institute of Intellectual Co-operation. The countries making such grants are at present as follows : Austria, Czechoslovakia, France, Hungary, Italy, Monaco, Poland, Switzerland. The Assembly hopes that their example will be followed by the other nations. The reports now before it show clearly that it is only the smallness of its financial resources which prevents the Intellectual Co-operation Organisation from rendering all the services which may now be expected of it.

The Assembly is glad to see the increase in the number and activity of National Committees on Intellectual Co-operation. The regular co-operation between well-organised National Committees and the International Committee is of ever-increasing utility to the work of intellectual co-operation. The Assembly would therefore refer to the recommendation it made in 1924 and invite the States Members of the League which have not already done so to consider the possibility of providing the necessary funds to meet the expenses of their respective National Committees.

The Assembly notes, as being particularly worthy of attention and encouragement, the proposals of the Committee on Intellectual Co-operation in regard to the following points :

1. The creation at the International Institute of Intellectual Co-operation of an international co-ordination service of information offices attached to libraries. The Assembly emphasises the importance in this connection of national information offices, and trusts that such offices may be established in those countries where they do not already exist.

2. The proposals for co-ordination between the organs of bibliography for the various sciences drawn up by the Committees of experts under excellent technical conditions, in such a way as to give every satisfaction to the persons concerned.

3. The recommendation made by the International Committee in favour of the International Office for Annual Tables of Constants and Mathematical Quantities. Governments, scholars and industrial organisations are equally interested in the continuance of this enterprise, which is at present in danger owing to lack of funds. An understanding between Governments is extremely desirable in order to ensure the regular publication of the Tables.

4. The steps taken with a view to :

- Preparing for the Popular Arts Congress;
- An international agreement with regard to casts;
- An extension of the work of museums as a means of artistic education, etc.

The Assembly thanks the Czechoslovak Government for the subsidy so generously granted in order to facilitate the holding of the Popular Arts Congress at Prague. It congratulates the Swiss Federal Government, and more particularly the city of Berne, on the initiative regarding an International Exhibition of Popular Arts to be held in that city. The Assembly request the Secretary-General of the League of Nations and the Institute for Intellectual Co-operation to render every assistance in their power to the promoters of this enterprise.

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The Assembly has noted the remarkable report presented by M. Jules Destrée on behalf of the Sub-Committee of Experts for the Instruction of Children and Youth in the Existence and Aims of the League of Nations. It approves the recommendations made by the experts, and instructs the Secretary-General to communicate them to the Governments of the States Members of the League of Nations, requesting them, so far as may be possible in each particular case, to take the necessary measures to give effect to the recommendations. The Assembly approves the creation of League of Nations Educational Information Centres under the conditions laid down by the Sub-Committee of Experts. It decides that the Sub-Committee of Experts shall continue its work on the lines suggested by the French representative in his report approved by the Council at its meeting of September 2nd, 1927.

Proposal by the Italian Delegation for the Creation of an International Educational Cinematographic Institute at Rome.

The Assembly approves the report of the Second Committee.

Relations between the League of Nations and Institutes or Bodies set up under its Authority.

The Assembly approves the report of the Second Committee.

#### 4. — Administrative Questions.

##### *Mandates.*

The Assembly, having taken note of the work accomplished since its last session by the mandatory Powers, the Permanent Mandates Commission and the Council in the execution of Article 22 of the Covenant, renews the expression of confidence voted last year and adopts the following resolution on certain specific points :

##### 1. *Liquor Traffic.*

(a) The Assembly congratulates the Permanent Mandates Commission on its success in defining the important terms concerning the liquor traffic used in the B and C Mandates and in the Convention of St. Germain of September 10th, 1919, and expresses the hope that all the mandatory Powers will soon be able to indicate their acceptance of these definitions;

• (b) It asks the Council to request the Permanent Mandates Commission, in collaboration with the mandatory Powers, to continue to give serious consideration to the cause<sup>s</sup> of the increased importation of spirituous liquors into certain territories under B mandate, and to the steps which have been taken to deal with this problem.

##### 2. *Minutes of the Permanent Mandates Commission.*

The Assembly expresses its appreciation of the value of the Minutes of the meetings of the Permanent Mandates Commission, which constitute the record of the fulfilment by the Commission of its duties under Article 22 of the Covenant, and which are communicated at the request of several of the mandatory Powers to a considerable number of their officials in the mandated territories.

## 5. — Social and Humanitarian Questions.

### *Traffic in Opium and other Dangerous Drugs.*

The Assembly notes with approval the report of the Advisory Committee on Traffic in Opium and other Dangerous Drugs and the resolutions contained therein, and earnestly recommends them to the attention of the States Members of the League.

#### *Work of the Committee of Enquiry regarding the Production of the Opium Poppy in Persia.*

The Assembly takes note of the report of the Commission of Enquiry into the production of opium in Persia, of the observations of the Persian Government on that report, and of the letter from the Chairman of the Commission of Enquiry to the Secretary-General dated April 23rd, 1927.

It expresses its sincere thanks to the members of the Commission for their valuable work, and its high appreciation of the good-will shown by the Persian Government in co-operating with the League in its attempts to reach a solution of the difficult and complicated problem of narcotic control.

The Persian Government having declared that the success of its programme will, in large measure, depend on its obtaining liberty of action in tariff affairs and on the removal of the restrictive tariffs on Persian products which must be substituted for opium, the Assembly expresses the hope that the Governments concerned will give their earnest and favourable attention to those conditions and that the Persian Government will keep the League of Nations informed of the progress made in carrying out the scheme proposed for the gradual diminution of the cultivation of the opium poppy in Persia.

It earnestly recommends to all countries concerned with the production and manufacture of dangerous drugs and their raw material the enactment of legislation similar to that now proposed by the Government of Persia, or such equivalent action as will ensure the necessary reduction of raw material and the manufacture of drugs.

### *Traffic in Women and Children.*

The Assembly :

Takes note of the report of the Traffic in Women and Children Committee, thanks the Committee for the good work it has accomplished, and expresses the hope that this work will be continued along the same lines;

Having learnt with the greatest interest that the Traffic in Women and Children Committee is examining carefully, in connection with Part I of the experts' report, the problem of the relationship which exists between the licensed house and the traffic in women, requests the Traffic in Women and Children Committee to examine as soon as possible the question of the desirability of recommending to all Governments the abolitions of the system of the licensed house;

Desires to express its warmest approval of the able and courageous work of the Special Body of Experts, and earnestly recommends Part I of the report, and especially its conclusions, to the study of the Governments of 'all States Members' and non-Members of the League of Nations.

### *Child Welfare.*

The Assembly notes the report submitted by the Child Welfare Committee, expresses its appreciation of the work it is doing and requests it to continue on the lines indicated in the report on the work of its third session.

### *Protection of Women and Children in the Near East.*

The Assembly approves Miss Jeppe's report and expresses its thanks and appreciation for the unselfish and admirable work which she has done for the protection of Women and Children in the Near East.

The Assembly hopes that the generous financial support given to Miss Jeppe by voluntary organisations in the past will continue in order that she may be enabled to restore to a normal life those who have been rescued.

### *International Relief Union.*

The Assembly,  
Highly gratified at the success of the Conference for the Creation of an International Relief Union;

Convinced that the Governments, before which the results of the Conference have now been laid, will definitely decide to co-operate in this work of international solidarity :

Offers its thanks to Senator Ciruolo, to the President of the Conference, and to the members of the Preparatory Committee for the scheme on which the Conference's work



was based, and requests the President of the Conference and the members and experts of the Preparatory Committee to hold themselves at the Council's disposal to propose to it all measures that may be calculated to facilitate the putting into force and the application of the Convention concluded by the Conference.

#### *Slavery Convention.*

The Assembly notes the report from the Council and the supplementary reports regarding slavery which contain communications on this subject from the Government of Abyssinia, the British Government, the Government of India, the Government of Portugal and the Government of the Sudan, and, in view of the limited number of ratifications of the Convention of September 25th, 1926, which have been deposited up to the present, expresses the hope that the States which have signed will ratify the Convention as soon as possible.

#### *Measures in Favour of Armenian and Russian Refugees.*

The Assembly,

Having carefully examined the reports of the High Commissioner and of the International Labour Office on the refugee questions :

Recognises the progress that has been made towards the solution of a problem that at one time constituted a very serious danger;

Expresses its high appreciation of the important work that has been accomplished on behalf of the refugees;

Invites the High Commissioner to convene a small Conference, on the lines indicated in his report, to formulate proposals for submission to the Council in regard to the legal status of refugees. This should be preceded by a full and careful examination of the juridical situation of the refugees in the different countries, the necessary information to be communicated to the respective Governments beforehand;

Congratulates those responsible for the measures already taken and contemplated for the permanent settlement of Armenian refugees in the Near East;

Expresses the hope that, as a result of the efforts described by the High Commissioner in his report, the necessary funds will be secured for the execution of this work and that, with the continued co-operation of the mandatory Power, this aspect of the problem may be successfully liquidated;

Approves the provisions in the budget for the Refugee Service in addition to the supplementary credit of 7,500 Swiss francs for the services for establishing Armenian refugees in Syria.

Further, the Assembly;

Notes with interest the offers of employment now available for refugees in overseas countries;

Recognises that the execution of these schemes requires the immediate establishment of an adequate revolving fund;

Urges the Governments concerned to inform the High Commissioner as soon as possible what measures they are prepared to take for financing the settlement of refugees from their territories;

Requests the Council to invite the Governing Body of the International Labour Office, in examining the budget of the Refugee Service for 1929, to consider whether adequate funds for settlement have been thus provided.

#### *Question of Alcoholism.*

\* The Assembly decides to place on the agenda of its ninth ordinary session the following proposal by the Finnish, Polish and Swedish delegations :

"Whereas it is desirable to co-ordinate the work the League of Nations has, or will be called upon, to undertake on the subject of alcoholism, the Assembly requests the Council :

" 1. To appoint a Committee of experts on alcoholism;

" 2. To instruct this Committee to study the aspects of alcoholism falling within the competence of the League of Nations, and which could be the subject of scientific or practical work."

## 6. — Miscellaneous Questions.

### *Conference of Press Experts.*

The Assembly,

Noting the success of the Conference of Press Experts, and conveying its thanks to the representatives of the Press for their collaboration;

Expresses its satisfaction that the Council has considered the steps required for promptly giving the necessary effect to the resolutions of the Conference;

Trusts that the technical organisations to which the Council has submitted a number of these resolutions will undertake as soon as possible the special enquiries relating, in particular, to the questions of telegraphic and telephonic rates, the improvement of communications, the conveyance of newspapers, identity cards for journalist and visas for journalists' passports;

Trusts that the Council, at its December session, will take the most suitable measures to enlist the sympathetic attention of Governments for the other resolutions adopted by the Conference in order that effect may be given to them;

Notes with satisfaction that the Council, taking into account the recommendation made by the Conference, has declared that, should it at some future time appear necessary and should developments in the technical international problems which affect the Press make it seem desirable to those concerned, it will in principle be willing to lend the assistance of the organisations of the League for the study of these questions, and to organise a consultation or call a Conference for this purpose.

### *Construction of an Assembly Hall and of New Buildings for the Use of the Secretariat.*

The Assembly,

Approves the report of the Special Committee of five members in regard to the new buildings ;

Approves, in principle, that the amount to be spent on the new buildings may be increased to approximately 19,500,000 francs. The exact amount of the supplementary credit necessary will be submitted to the Assembly at the next session;

Empowers a Committee composed as follows :

M. ADATCI, M. OSUSKY, M. POLITIS, M. URRUTIA and Sir Edward HILTON YOUNG to study the nine plans awarded the equal prizes of 12,000 francs in the architects' competition, and to choose, with any changes that may be necessary, a plan which in its opinion complies most nearly with the practical and æsthetic requirements. The decision of this Committee will be submitted to the Council of the League of Nations for ratification, and will be communicated to the Assembly at the next session.

### *Financial Questions.*

1. The Assembly, in virtue of Article 38 of the Regulations for the Financial Administration of the League, finally approves the audited accounts of the League for the eighth financial period ending December 31st, 1926.

2. The Assembly, in virtue of Article 17 of the Regulations for the Financial Administration of the League, approves for the financial year 1928 the general budget of the League, of the Secretariat and of the Special Organisations of the League, of the International Labour Organisation and of the Permanent Court of International Justice, the total of which, including supplementary credits, is 25,333,817 francs;

And decides that the said 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 conclusions of the various reports of the Supervisory Commission submitted to its consideration.

4. The Assembly adopts the conclusions of the report of the Fourth Committee.

### *Contributions in Arrears.*

The Assembly requests the Secretary-General :

1. To continue negotiations with the Chinese Government with a view to arriving at some arrangement by which the contributions in arrears may be liquidated;

2. To make further representations, through such channels as he may consider appropriate, to the other States at present in arrears;
3. To submit to the Council in due course a report showing the results of the action taken by him.

*Establishment of an Administrative Tribunal.*

Subject to the amendment of form suggested by the Fourth Committee, the Assembly adopts the annexed Statute establishing a League of Nations Administrative Tribunal.

The Assembly of 1931, however, will consider in the light of the experience gained whether there is reason to abrogate or amend the said Statute.

The Assembly's resolution of December 17th, 1920, giving to certain officials in case of dismissal a right of appeal to the Council or to the Governing Body of the International Labour Office is abrogated as from January 1st, 1928.

*Question of the Cost of Living and the Adjustment of Salaries.*

The Assembly decides :

- (1) To apply once more the system at present in force, under which no changes will be made in the salaries in 1928;
- (2) To instruct the Salaries Adjustment Committee to carry out the investigations necessary for this enquiry with the help of the competent services of the Secretariat and of the International Labour Office and to submit the results to the Supervisory Commission at its session in January 1928;
- (3) To instruct the Supervisory Commission to submit a general report on the question to the Assembly at its ninth ordinary session.

*Gift by M. John D. Rockefeller Jr. for the Construction and Endowment of a League Library.*

In accordance with article 23 (a) of the Financial Regulations of the League, the Assembly confirms with gratitude the acceptance by the Council of the League of the gift of two million dollars offered by M. John D. Rockefeller Jr., for the construction and endowment of a League Library.

# COMMUNICATIONS AND TRANSIT

Verbatim reports and texts relating to the Convention of Freedom of Transit. (March-April 1921). . . . .	8/
Resolution adopted by the Conference on Passports, Customs Formalities and Through Tickets in Paris on October 21st, 1920. (C. 641 M. 230. 1925 VIII).	3 d.
Passport Conference, held at Geneva from May 12th to 18th, 1926. Final Act of the Conference signed on Tuesday, May 18th, 1926. (C. 320 M. 119. 1926 VIII 2) (CCT. 217). . . . .	5 d.
Third General Conference on Communications and Transit. Preparatory Documents. Volume II Identity Documents for Persons without Nationality. (IIIe CGCT. I (Vol. II), 1927 VIII 5/11) . . . . .	9 d.
Advisory and Technical Committee for Communications and Transit. — Cards for Emigrants in Transit. Report of the Committee of Experts. (CCT. 307. 1927 VIII 4) . . . . .	3 d.
Verbatim records and texts of the recommendations relative to the International Regime of Railways and of the recommendations relative to Ports placed under an International Regime . . . . .	8 d.
Verbatim records and texts relating to the Convention on the Regime of Navigable Waterways of International Concern and to the declaration recognizing the right to a flag of States Having no sea-coast. March-April 1921 . . .	12/
Conférence de Barcelone. Comptes rendus et textes relatifs au Règlement d'Organisation des Conférences générales et de la Commission Consultative et Technique des Communications et du Transit et au Règlement intérieur des Conférences générales des Communications et du Transit (C. 662. M. 265. 1923 VIII) (Only in English). . . . .	12
Records and Texts relating to the General Discussions of the Conference. (C. 27. M. 13. 1924 VIII). . . . .	1/9
Records and Texts relating to the Convention and Statute on the International Regime of Railways. (C. 28. M. 14. 1924 VIII). . . . .	3/6
Records and Texts relating to the Convention and Statute on Maritime Ports. (C. 29. M. 15. 1924 VIII). . . . .	3/6
Convention relating to the Transmission in Transit of Electric Power. Convention relating to the Development of Hydraulic Power affecting more than one State. Records and Texts. (C. 30. M. 16. 1924 VIII). . . . .	3/6
Minutes of the Plenary Meetings of the Conference and of the Meetings of the Technical Committee.	
European Conference on the Measurement of Vessels employed in Inland Navigation, held in Paris, November 20th to 27th, 1925 (C. 107. M. 50. 1926 VIII 1). . . . .	3/
Measurement Certificate for Vessels employed in Inland Navigation (CCT/NI/CMU/4) (1926 VIII 3) . . . . .	3 d.
European Conference on the Measurement of Vessels employed in Inland Navigation. Paris November 20th to November 27th 1925. Official Instruments approved by the Conference : Convention regarding the Measurement of Vessels employed in Inland Navigation. Protocol of Signature (French and English Texts) (CL. 136. 1926 VIII, II Annex) . . . . .	5 d.
Communications of Importance to the League of Nations at times of emergency Report submitted to the Council by the Committee (CCT. 310. 1927 VIII. 6)	2 d.
A General Catalogue and Special Catalogues of the documents prepared by the different Section of the Secretariat will be sent free on application to :	

**Publications Service of the League of Nations, GENEVA.**

# MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

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### I. — Summary of the Month.

OCTOBER 1927

The principal League meeting in October was the Diplomatic Conference for the Abolition of Import and Export Prohibitions and Restrictions, which was attended by plenipotentiaries from thirty-four countries. This Conference opened on October 17th and was still in session at the end of the month.

The semi-annual sessions of the Permanent Mandates Commission and the Health Committee also began in the latter half of October and continued into November.

The Sub-Committee on Tariff Nomenclature sat from October 12th to October 31st. It framed a preliminary draft tariff which will be submitted to the Economic Committee in November. The Mixed Committee for the Suppression of the Offence of Counterfeiting Currency prepared a draft convention which will be communicated to the Council together with a recommendation concerning the convocation of an international Conference on the subject.

The Advisory Committee on Traffic in Opium examined a certain number of questions connected with the illicit drug trade.

The Permanent Court of International Justice gave judgment in the Mavrommatis Concessions Case and began its hearings in the Case of the Competence of the European Commission of the Danube.

## II. — The permanent Court of International Justice <sup>(1)</sup>.

### 1. — CASE OF THE MAVROMMATIS CONCESSIONS (READAPTATION) QUESTION OF JURISDICTION

The Court gave its judgment in this case on October 10th; it recognised as well founded the plea to the jurisdiction of the Court made by the British Government and consequently ruled that it had no jurisdiction to entertain, upon its merits, the suit brought by the Greek Government against Great Britain in her capacity as Mandatory for Palestine <sup>(2)</sup>.

The origin of the case is as follows : Mavrommatis, a Greek subject, had obtained before or during the war, from the Ottoman authorities, certain concessions for the carrying out of public works in Palestine. In the execution of the contracts, suspended during the war, certain difficulties on the part of the new authorities in the country were encountered after the conclusion of peace, particularly owing to the existence of the Zionist Organisation, provided for under the terms of the Palestine Mandate, which had been conferred upon Great Britain. The difficulties mainly consisted of the grant to a certain Rutenberg of concessions which to some extent overlapped the Mavrommatis concessions. The latter, being of the opinion that the financing of his concessions had become impossible through the fault of the British authorities, claimed damages. Negotiations with that object in view, in the course of which the Greek Government intervened on behalf of its subject, having failed, that Government brought the dispute before the Court, which having to decide upon a plea to the jurisdiction, raised by the British Government, ruled, in August, 1924, that it had jurisdiction in so far as two concessions for works to be carried out at Jerusalem were concerned. In the judgment on the merits, rendered in March, 1925, the Court furthermore recognised that the concessions were valid; noting that to some extent they had been infringed by the grant of the Rutenberg concessions, but that no injury resulting to Mavrommatis from such infringement had been proved, it ruled that no damages were due; and declared that in accordance with the terms of the Lausanne peace treaty the Mavrommatis concessions should be readapted to the new economic conditions of the country.

This readaptation was subsequently carried out by means of the substitution for the contracts of 1914 of new contracts signed in February 1926, by M. Mavrommatis and on behalf of the competent Palestine authorities. According to the terms of these contracts, Mavrommatis agreed to give up his 1914 contracts, and, "in consideration" of this renunciation, he obtained the new concessions, subject to certain conditions, *inter alia* the presentation of his plans for the works within a specified time; the authorities were to approve or reject the plans within three months after their deposit.

The plans were deposited on May 5th, 1926. It appeared, however, that the authorities, not considering the deposit as having been effected in accordance with the requisite formalities, accepted them as having been deposited on September 5th, only. Consequently the plans were only approved on September 23rd, and December 2nd, 1926 respectively. Considering that they should have been approved before August 5th and that the delay in the approval had destroyed his chances of financing the undertaking, Mavrommatis informed the authorities that he considered the contracts as having been cancelled by them and demanded damages. Negotiations followed in which the Greek Government intervened, and these negotiations having failed, in May, 1927, an application was made to the Court by that Government for damages for Mavrommatis, an application which resulted in the plea to the jurisdiction made by the British Government.

(1) Article compiled with the aid of information furnished by the Registry of the Court.

(2) Cf. *Monthly Summary*, Sept. 1927, p. 254.

The application was based upon Articles 26 and 11 of the Mandate for Palestine. According to Article 26, any dispute relating to the interpretation or to the application of the provisions of the Mandate should, if it cannot be settled by negotiation, be submitted to the Court, and according to Article 11, the Palestine Administration has full power "subject to any international obligations accepted by the Mandatory" to "provide for public ownership or control" of any of the natural resources or of the public works of the country. And the Court, by its judgment of August 1924, had laid down that the "international obligations" in question were those which arose under Protocol XII of the Lausanne peace settlement, a document which stipulated the maintenance of certain concessions granted by the Ottoman authorities prior to October 1914. Now, the Greek Government considered that by delaying the approval of the plans for the works provided for under the concessions which Mavrommatis had obtained in 1926 from the British or Palestine authorities, these authorities had failed to carry out the international obligations set out in Article 11, namely the obligations resulting from the provisions of the Lausanne Protocol.

That was the principal ground upon which the Greek application rested. To this the British Government replied in its plea to the jurisdiction by contending that the delay in approving the plans—assuming there had been such delay—was not an exercise of the "full powers" provided for by Article 11, and, even if an exercise of such full powers had taken place, there would have been no failure in carrying out any "obligation accepted" by the Mandatory; for the Lausanne Protocol, which solely refers to the concessions granted prior to 1914 by Turkey, could not be violated by possible breaches of concessionary contracts granted in 1926 by the British authorities. As an alternative ground for the objection, it was argued that the Court could not in any case entertain the suit until after Mavrommatis had exhausted his judicial remedies in the English or Palestine Courts.

The greater part of the Court's judgment bears upon the question of the jurisdiction which might accrue to it in this case under Articles 11 and 26 of the Mandate. In regard to this the Court observes in the first place that it must take as its basis the interpretation of the Articles in question which it has already given in the Judgments of 1924 and 1925, which interpretation it then proceeds to analyse as follows :

The jurisdiction bestowed upon the Court by Article 26 of the Mandate in regard to the interpretation and application of the clauses of the Mandate only covers the interpretation and application of the provisions of the Protocol of Lausanne in so far as the Mandatory, in the exercise of the full power bestowed upon it by Article 11, may disregard the obligations which he has accepted in signing the Protocol. The "full power" in question is a full power to "provide for the public control of the natural resources of the country". In the context, "public control" means an economic policy consisting in subjecting in one way or another private enterprise to public authority, so as to enable the authorities, without acquiring the ownership of the resources or public works in question, to exercise over the enterprises exploiting them certain powers normally inherent in ownership. It follows that the question whether, in a particular case, there has or has not been an exercise of the full power in question is essentially a question that can only be decided in each case as it arises. The special circumstances which, in the Mavrommatis case decided in 1925, enabled the Court to establish its jurisdiction, were : 1) that the grant of the Rutenberg Concessions of 1921 constituted, owing to certain features of the contracts (which reserved an important role to the Jewish Agency, the official organ of Zionism) an exercise of the full power mentioned in Article 11; 2) that these concessions overlapped at least in part the Mavrommatis 1914 concessions; 3) that the latter concessions fell within the scope of the Protocol of Lausanne; and 4) that a certain clause of the Rutenberg concessions violated the principle that concessions protected by the Protocol were to be maintained. The grant of a concession involving a right of advice and supervision on the part of the authorities would not in

itself have constituted an exercise of the "full power" to provide for public control of the works in question.

According to this construction of the relevant articles of the Mandate, which construction the Court expressly maintains, the Court would only have jurisdiction in the present case under Article 26 of the Mandate, if the alleged breach of the Mandatory's obligations arose out of an exercise of the full power in question.

Considering the facts of the case from this point of view, the Court observes in the first place that the grant of the Mavrommatis 1926 concessions and the other steps taken with a view to the readaptation of the 1914 concessions, do not constitute an exercise of this power. And the Court arrives at the same conclusion as regards the attitude of the British and Palestine authorities—even assuming that it were legally unjustifiable—which is said to have caused the alleged delay in the approval of the plans submitted by M. Mavrommatis. In the next place, considering the grant of the Rutenberg concessions from the same point of view, the Court says that if there had been incompatibility between these concessions—which were only finally granted after those of Mavrommatis—and the latter, so that M. Mavrommatis' rights would have been violated, the situation as regards jurisdiction would have been similar to that in the Mavrommatis case decided in 1924 and 1925. The Court, however, observes that not only has the Greek Government not based its conclusions upon the existence of such incompatibility, but also that the situation in the two cases is fundamentally different; what the British Government is reproached with in the present case is not a violation of M. Mavrommatis' rights by definite acts, constituting an exercise of the full power referred to in Article II, but rather a passive and negative attitude, which may have been prejudicial to M. Mavrommatis' interests. But, even admitting that the exercise of the full power in question may assume this form, the Court observes that, even *prima facie*, the contentions of the Greek Government in regard to this point, are not established in point of fact.

The Court finally simply records the statements made it by the representative of the British Government to the effect that it is open to M. Mavrommatis to obtain reparation by process of law before the municipal Courts either in England or in Palestine, for the damage which he claims to have suffered.

## 2. — JURISDICTION OF THE EUROPEAN COMMISSION OF THE DANUBE

The Court held from October 6th. to October 13th. a series of thirteen public sittings devoted to the hearing of the question of the jurisdiction of the European Commission of the Danube, submitted by the Council of the League for an advisory opinion.

The questions submitted by the Council, and to which the Court will have to reply, are as follows :

1) Under the law at present in force, has the European Commission of the Danube the same powers on the maritime sector of the Danube from Galatz to Braïla as on the sector below Galatz? If it has not the same powers, does it possess powers of any kind? If so, what are these powers? How far upstream do they extend?

2) Should the European Commission of the Danube possess either the same powers on the Galatz-Braïla sector as on the sector below Galatz, or certain powers; do these powers extend over one or more zones, territorially defined and corresponding to all or part of the navigable channel to the exclusion of other zones territorially defined, and corresponding to harbour zones subject to the exclusive competence of the Roumanian authorities? If so, according to what criteria shall the line of demarcation be fixed as between territorial zones placed under the competence of the Roumanian authorities? If the contrary is the case, on what non-territorial basis is the exact dividing line between the respective competence of the European Commission of the Danube and of the Roumanian authorities to be fixed?



3) Should the reply given in 1) be to the effect that the European Commission either has no powers in the Galatz-Braïla sector, or has not in that sector the same powers as in the sector below Galatz, at what exact point shall the line of demarcation between the two régimes be fixed?

From a consideration of these questions it will be seen that the principal point at issue between the interested Governments—Great Britain, France and Italy on the one hand, and Roumania on the other—is the one given in Section I, namely, *what are the powers of the European Commission in the Galatz Braïla sector*. In order to appreciate the practical significance of this question account must be taken of the circumstances in which the European Commission of the Danube was constituted.

The Court was composed as follows for the hearing of this question :

M. Huber (Switzerland), President, M. Loder (Netherlands) Former President; Lord Finlay (Great Britain), M. Nyholm (Denmark), Mr. Moore (United States of America), M. Altamira (Spain), M. Oda (Japan), M. Anzilotti (Italy), M. Beichmann (Norway), M. Negulesco (Roumania).

Great Britain was represented by Mr. E. Mac Gowan, Assistant Solicitor to the Board of Trade, as Agent, and by Sir Douglas Hogg, Attorney-General, Mr. Alexander P. Fachiri and Mr. W. E. Beckett, as Counsel; France was represented by *Professor Basdevant*, Assistant Legal Adviser to the Ministry for Foreign Affairs, and M. *Chargueraud-Hartmann*, Legal Adviser to the Ministry of Marine, Secretary of the French Delegation to the International River Commissions, and Italy by M. Carlo Rossetti, Italian Delegate to the European Commission of the Danube.

Roumania entrusted the presentation of her case to M. A. Millerand, Former President of the French Republic, M. Ch. de Visscher, Professor at the University of Ghent, and M. Nicolas Politis, former Greek Minister for Foreign Affairs and Professor at the Faculty of Law at Paris. She appointed as Agent M. Contzesco, Minister Plenipotentiary, Delegate to the International Commissions of the Danube.

*Historical outline of the Dispute.* — The European Commission of the Danube was constituted immediately after the Crimean War, by the Treaty of Paris, in 1856, by which it was entrusted with the task of removing obstacles to navigation in the mouths of the Danube and of applying the principles established at the Congress of Vienna, the main element of which was that no obstacle whatsoever should be put in the way of free navigation, subject to police and quarantine regulations. This task soon appeared so vast that it was thought necessary to confer upon the Commission, originally considered as temporary, a more or less permanent character, and that was done by the Public Act of 1865, which defined its rights and powers. This instrument confirmed the exclusive authority of the Commission over the mouths of the Danube from the Black Sea to a point above Isaktcha, where navigation was to be regulated or governed by regulations issued by the Commission. The Russo-Turkish War of 1877, which led, amongst other matters, to the recognition of Roumanian independence, profoundly affected the Statute of the European Commission of the Danube, which was amended by the Treaty of Berlin of 1878. This Treaty provided, on the one hand, for the admission of Roumania as a member of the European Commission, and, on the other hand, for the extension of the powers of the Commission, which was declared fully independent of the territorial authority, up to Galatz. Its powers were prolonged up to 1883.

During the Berlin negotiations the question had already been considered of extending the powers of the Commission up to Braïla, but agreement on this subject could not be attained. The Treaty of Berlin included an article which runs as follows :

One year before the expiration of the term assigned for the duration of the European Commission, the Powers shall come to an understanding as to the prolongation of its powers and the modifications which they may consider necessary to introduce.

It was in pursuance of this article that, in 1883, the Powers assembled in London, where it was decided, amongst other matters, to extend the powers of the Commission up to Braïla. Roumania protested against this Treaty and she has never signed it; it was, however, not contested that the European Commission henceforward possessed a certain *de facto* authority over the sector of the river between Galatz and Braïla, by virtue of which it exercised certain powers up to 1914. But there was no agreement as to the nature or the extent of these powers. During the peace Conference of 1919 it was stipulated (Article 346 of the Treaty of Versailles) that :

“The European Commission of the Danube reassumes the powers it possessed before the War”, whilst at the same time it was understood that a special conference would be called to draw up the definitive Statute of the Danube. This Conference assembled in 1920 in Paris and drew up the Statute which contained Articles stipulating : (Article 5)

The European Commission of the Danube retains the powers which it possessed before the war. No alteration is made in the rights, prerogatives and privileges which it possessed in virtue of the treaties, conventions, international acts and agreements relative to the Danube and its mouths.

(and Article 6) :

The authority of the European Commission extends under the same conditions as before and without any modifications to its existing limits over the maritime Danube, that is to say, from the mouths of the river to the point where the authority of the International Commission commences.

In this connection, it should moreover be observed that the Treaty of Paris of 1856 had already set up two commissions on the Danube : the European Commission, referred to earlier, having authority over the part known as the maritime Danube, and the International Commission over the “fluvial” Danube. The Treaty of Paris of 1921 had confirmed this state of affairs. The powers of the International Commission thus extended from Ulm, in Bavaria, to Braïla.

The Treaty of Versailles altered the constitution of the European Commission — of which, formerly, Great Britain, France, Germany, Austria-Hungary, Russia, Italy and Roumania were members — which henceforward consists of Great Britain, France, Italy and Roumania.

From 1919 onwards it was noticeable that the differences of opinion which had existed already in a latent form from 1883 to 1914 between Roumania and the European Commission of the Danube in regard to that Commission's authority between Galatz and Braïla, had taken more acute form; and after lengthy and involved negotiations Great Britain, followed by France and Italy, decided in 1924 to bring the question before the League Committee for Communications and Transit. This Committee shortly afterwards appointed a special Committee known as the “Special Committee on the question of the jurisdiction of the European Commission of the Danube”, which, in 1925, proceeded to Roumania in order to investigate the question on the spot. On its return the Committee presented a report in which, amongst other things, it expressed the opinion that the jurisdiction of the European Commission extends from Galatz to above Braïla, under the same conditions as from the sea to Galatz.

The Committee for Communications and Transit adopted the Special Committee's conclusions. Roumania, however, declared that she was unable to accept these conclusions, so that, the question being left open, the four interested Powers concluded an arrangement requesting the Council of the League to ask the Court for an advisory opinion on the questions, drawn up by common consent, the terms of which have been set out in the beginning of this article.

*The opposing views.* — The opposing views in regard to the main point in dispute, as presented to the Court orally and in writing, may be summarised as follows :

a) *View of the three Powers.* — Great Britain, France and Italy claim that the European Commission is entitled to exercise in the Galatz-Braila sector the same jurisdictional and technical powers as it exercises in the sector below Galatz, and in so doing they rely on the terms of the Danube Statute of 1921 (Articles 5 and 6). Article 6, the terms of which have already been quoted, plays a particularly important part in this contention.

In the opinion of the three Governments, the essential point is the reply to the two questions raised by Article 6, namely : under what conditions did the European Commission exercise its authority in the past? and at what point does the authority of the International Commission begin? As regards the latter point, those Governments contend that there can be no doubt. For under Article 9 of the Statute, the International Commission exercises authority from Ulm to Braila and the authority of the European Commission must therefore begin at Braila. As regards the conditions under which the European Commission formerly exercised its powers, those who maintain this standpoint argue as follows : the European Commission exercised complete jurisdiction from the sea to Braila under the Treaty of London of 1883, which is binding on Roumania under Article 54 of the Treaty of Berlin of 1878; and furthermore a consistent practice has been established which has been converted into law by the Danube Statute of 1921. It is true that Roumania refused to accept the Treaty of London, but nevertheless she tacitly consented to the exercise of jurisdiction by the Commission as far as Braila from 1883 to 1914.

b) *The Roumanian view.* — Roumania construes Article 6 of the Danube Statute entirely differently, especially as regards the expression „under the same conditions as before”. She says that the Commission does indeed exercise certain powers from the sea to Braila, but that these powers were formerly not the same between the sea and Galatz as between Galatz and Braila. Whereas the Commission exercised both jurisdictional and technical powers between the sea and Galatz, it in fact only exercised technical powers between Galatz and Braila. Roumania denies that the two legal grounds, upon which the three Powers support their claim that the Commission exercises jurisdictional powers between Galatz and Braila, have any force. In the first place, she says that the Treaty of 1883 has never been binding on her, and secondly, that there was never, between 1883 and 1914, a consistent practice justifying the statement that the Commission had in fact exercised jurisdictional powers between Galatz and Braila; if the Commission had in a few cases also exercised jurisdictional powers, the Roumanian Government had been unaware of it. In reply to the contention that the Treaty of 1883 was binding upon her, Roumania argues that the Powers, in deciding to extend the authority of the Commission to Braila, exceeded their powers, because, generally speaking, an international treaty can never be binding upon a State which has not expressly accepted it.

\* \* \*

As regards the two other questions referred to the Court, the three Powers have argued that, in the ports, the only practical line of demarcation between the authority of the European Commission and that of the Roumanian authorities must be of a logical nature and cannot be territorial. Further these Powers have argued that, should it be held that a distinction must be drawn between the powers exercised by the Commission in the sector below Galatz and those exercised between Galatz and Braila, the dividing line between these two kinds of powers should be above Galatz.

Roumania, on the other hand, has argued that, in distinguishing between these two kinds of powers, a line of demarcation should be fixed between the navi-

gable channel of the river and the ports. As regards the division between the two sectors of the maritime Danube, she proposes a point below Galatz.

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The President of the Court, in announcing the conclusion of the hearings, said that the Court reserved the right, if necessary, to ask the Parties for further information, and that therefore the oral proceedings could not yet be regarded as closed.

### 3. — CASE CONCERNING THE CHORZOW FACTORY : A FRESH APPLICATION <sup>(1)</sup>

By an application, dated October 17th, 1927, and filed with the Registry of the Court on October 18th, the German Government asked the Court to give an authoritative interpretation of its Judgments Nos. 7 and 8, in regard to the meaning and scope of which that Government stated that a dispute had arisen between it and the Polish Government, which were the Parties concerned in the Cases decided by those Judgements.

The first of these Judgments, given on May 25 th, 1926, related to the suit known as the "Case concerning certain German interests in Polish Upper Silesia" <sup>(2)</sup>; in the second, which was given on July 26th, 1927, the Court affirmed its jurisdiction to entertain a claim for indemnity brought by the German Government against the Polish Government on behalf of two German Companies, the *Oberschlesische Stickstoffwerke* and the *Bayerische Stickstoffwerke A. G.* <sup>(3)</sup>.

Both Judgments related to the taking over by the Polish Government of the nitrate factory at Chorzow.

In the first of the two disputed Judgments, — No 7. — the Court declared this seizure to have been unlawful, on the ground, amongst others, that it held the two private Companies above-mentioned to have been the owners of the factory, and not the German Reich. In the second judgment, — No. 8. — the Court accepted jurisdiction to decide as to the consequent reparation due to those Companies.

The Polish Government, however, has now brought an action before a Polish municipal court with a view to obtaining a judgment to the effect that, at the time of its seizure, the factory was, according to municipal law, the property of the Reich and not of the Companies in question. The German Government holds that this question has already been finally decided in a manner contrary to Poland's contention, by the two above mentioned Judgments of the Court.

In accordance with the Rules of the Court, the Court has invited the Polish Government to submit observations in regard to the request for an interpretation made by the German Government. These observations, if any are to be filed by November 7th at latest, in order to enable the Court to give the interpretation sought during its present session.

The German Government has appointed Professor Erich Kaufmann of Bonn as its Agent for the procedure in question.

The Polish Minister at The Hague has informed the Registrar that his Government has designated M. Louis Ehrlich, Professor of International Law at the University of Lwów, as Polish National Judge for the affair in question, and that it has appointed Dr. Thadée Sobolewski, Agent of the Polish Government on the Germano-Polish Mixed Arbitral Tribunal, to represent it as its agent in the same affair.

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(1) Cf. *Monthly Summary*, August, 1927, p. 212.

(2) Cf. *Monthly Summary*, May, 1926, p. 106.

(3) See note 1, above.

#### 4. — CASE CONCERNING THE JURISDICTION OF THE DANZIG TRIBUNALS (1)

The Polish Government has appointed M. Limburg, councillor of State, of The Hague, to represent it in this affair.

The Government of the Free City has appointed as its Agent Professor Gilbert Gidel, of Paris, and as its National Judge (2), Dr. Crusen, President of the Danzig High Court. At the request of the Danzig Agent, the time limit for the filing by the interested Governments of written information on the questions put to the Court, has been extended from November 4th — the date originally fixed — to December 5th.

The question put to the Court by the Council of the League of Nations in this case is as follows :

Is the Court of opinion that the High Commissioner's decision of April 8th, 1927, given as a result of the requests made by the Danzig Government on January 12th, 1927 — in so far as his decision does not comply with those requests — is legally well founded?

The requests of the Danzig Government referred to in this question are expressed in the following terms :

(a) That railway employees who had passed from the service of the Free City into Polish service, were entitled to bring actions in respect of pecuniary claims, even if these claims were based on the Danzig-Polish Agreement of October 22nd, 1921, (Agreement concerning officials, *Beamtenabkommen*) or on the declaration made under Article I of this Agreement, which was accepted by the Polish Railways Administration :

(b) That Danzig Courts were entitled to hear the actions referred to in (a);

(c) That, consequently, the Polish Railways Administration was bound to accept the jurisdiction of the Danzig Courts in disputes such as those mentioned in (a), and to enforce the judgments given by those Courts;

And the High Commissioner has summarised in the following paragraph his decision, mentioned by the Council, of May 12th, 1927 :

Pecuniary claims of any kind, based on one of the provisions which constitute the contract of service for Danzig employees of the Polish Railways who have passed into the service of the Polish Administration under the Danzig-Polish Agreement of October 22nd, 1921, and in particular claims in connection with salaries, pensions, half-pay, and other grants under the contract may form the subject of an action in the Danzig Courts; ...the clauses of the Agreement itself, and the declarations referred to in Article I of the Agreement, are not to be regarded as provisions which constitute the contract of service of the above-mentioned employees, and therefore they cannot give ground for a personal action to be brought in the courts;

Under these circumstances, I do not think that the question set out in (c) arises.

#### 5. — APPOINTMENT BY THE PRESIDENT OF THE COURT OF MEMBERS OF A CONCILIATION COMMISSION

On October 11th, the Swedish Minister and the Columbian Chargé d'Affaires at The Hague, requested the President to give his formal assent to a clause inserted in a conciliation convention concluded between Sweden and Columbia on September 13th, 1927, to the effect that, should the two Governments be unable to agree, within the time provided for, on the choice of those commissioners who should be

(1) Cf. *Monthly Summary*, October, 1927, p. 292.

(2) Cf. *Monthly Summary*, October, 1927 (Rules of Court, No. 71).

appointed by common consent, the acting President of the Court shall be asked to make the necessary appointments.

The President, in accordance with a number of precedents based on a decision of the Court, declared that he was able to give the assent required.

#### 6. — INTERNATIONAL AGREEMENTS CONCERNING THE COURT'S JURISDICTION

The names of the Governments of India and of Latvia should be added to the list of those which have taken action on the Registrar's circular letter of March 24th, 1927. The number of these Governments thus reaches 23.

### III. — Reduction of Armaments.

#### THE PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE

The Secretary-General has been informed by M. Tchitcherin People's Commissioner for Foreign Affairs of the Union of Soviet Socialist Republics that, as the incident between the Union and Switzerland is now closed, his Government is willing to take part in the work of the Preparatory Commission for the Disarmament Conference, which is convened for November 30th at Geneva.

### IV. — Legal and Constitutional Questions.

#### INTERNATIONAL ENGAGEMENTS

##### a) *Registration.*

Among the treaties and international agreements registered in October figure :

Conciliation and arbitration treaties between Belgium and Sweden, Belgium and Denmark, Denmark and Czechoslovakia and Denmark and Lithuania;

A Treaty of Friendship (October 29th 1926) between China and Finland, deposited by the Chinese Delegation;

A series of treaties, notes and agreements between the British Government and Albania, Hungary, Germany, Belgium, Greece, France, Bulgaria and Latvia, deposited by the British Government. They concern respectively extradition, commerce, telephone and wireless services, the settlement of war debts, the provisional dissolution of the Mixed Anglo-Bulgarian Tribunal, and the recognition of tonnage certificates;

A convention for the suppression of liquor smuggling (Washington, February 10th, 1926) between the United States and Spain, deposited by the Spanish Government;

An Air Navigation Agreement (April 15th, 1926) between Poland and Czechoslovakia, deposited by the Polish Government.

The Convention on Tonnage Measurement in Inland Navigation (Geneva, November 27th, 1925) was registered on October 1st, subsequent to its entry in force, in accordance with its twelfth article.

This Convention has been signed or acceded to by Austria, Belgium, the British Empire, Bulgaria, Czechoslovakia, Finland, France, Germany, Greece,

Hungary, Italy, the Netherlands, Poland, Roumania, the Kingdom of the Serbs, Croats and Slovenes, Spain, Switzerland and the Union of Soviet Socialist Republics.

b) *Adhesions and Ratifications.*

The *convention for the Suppression of the Traffic in Obscene Publications* (Geneva, September 12th, 1923) has been ratified by Portugal.

The *Slavery Convention* (Geneva, September 25th, 1926) has been ratified by Portugal and acceded to by Nicaragua.

## V. — The Technical Organisations.

### 1. — THE HEALTH ORGANISATION

*Meeting of the Health Committee.*

The Health Committee met on October 28th at Geneva, under the chairmanship of Professor Madsen (Dane), and was still in session at the end of the month. Its meeting was preceded by short sessions of the Cancer and Malaria Commissions.

The agenda included examination of the report of the Malaria Committee and the development of the liaison with Latin America. The Committee also drew up a general programme for the coming year, based on the resolutions of the Assembly and the Council.

A further point was the consideration of the Medical Director's report on the work done since last session in regard to the development of the service of epidemiological intelligence and public health statistics; the system of liaison between the various national public health services in the form of interchanges of public health personnel; the international courses for health officers organised in Paris at the Faculty of Medicine and in London by the Society of Medical Officers of Health in consultation with the British Ministry of Health and the Health Section of the League; and the individual missions and scholarships which have enabled Japanese health officers to study selected subjects in Europe while Western medical officers have been studying in Japan; the activities of the standing commissions, such as that on standardisation of biological and serological products, the Joint Commission of Experts on the relations between public health services and health insurance organisations, the Sleeping Sickness and Cancer Commissions; the results of the International Rabies Conference and the conferences of health experts on infant welfare.

The members present were :

Dr. Th. Madsen, President, Director of the National Serotherapeutic Institute Copenhagen.

M. O. Velghe, Secretary-General of the Minister of the Interior and of Health Brussels.

• Professor B. Nocht, Rector of the University and Director of the Institute of Tropical Maladies Hamburg.

Dr. M. Tsurumi, Representative of the Sanitary Services of Japan.

Professor Léon Bernard, Director of the Health Institute of the Faculty of Medicine of Paris; Technical sanitary adviser to the French Minister of Health.

Sir George Buchanan, Senior Medical Officer to the Minister of Health, London.

Dr. H. Carrière, Director of the Federal Health Service, Berne.

Dr. W. Chodzko, Director of the Warsaw School of Health; former Polish Minister of Health.

Dr. C. Hamel, President of the "Reichsgesundheitsamt", Berlin.

Dr. N. W. J. Jitta, President of the Netherlands Health Council, the Hague.

Professor Ricardo Jorge, Director General of Public Health, Lisbon.

Dr. A. Lutreric, Former Director General of the Health Administration to the Minister of the Interior, Rome.

Professor Donato Ottolenghi, Professor of Hygiene at the Royal University of Bologna.

Professor Gustavo Pittaluga, Professor of Parasitology to the Faculty of Medicine of Madrid.

Dr. L. Raynaud, Inspector General of the Health Services of Algeria, Algiers.

An account of the proceedings will be given in the next number of the Monthly Summary.

## 2. — THE ECONOMIC AND FINANCIAL ORGANISATION

### a) *Import and Export Prohibitions and Restrictions.*

The Diplomatic Conference convened by the League to conclude a Convention for the supervision of Import and Export Prohibitions and Restrictions met at Geneva on October 17th, under the presidency of M. Colijn, former Prime Minister of the Netherlands.

Thirty-four States were represented, namely, Australia, Austria, Belgium, Great Britain, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Greece, Hungary, India, The Irish Free State, Italy, Japan, Latvia, Luxemburg, Netherlands, Poland, Portugal, Roumania, the Serb-Croat-Slovene Kingdom, Siam, Sweden, Switzerland, Turkey, the United States.

A delegation from the International Chamber of Commerce attended in an advisory capacity.

In his opening speech, the President drew attention to the fact that the prohibition system had already been condemned by international conferences and laid special emphasis on the resolutions on the subject adopted by the Economic Conference.

Alluding to the difficulties which the proposed reform cannot fail to encounter, he said that public opinion would regard the results of this Conference as the touchstone of the sincere will of Governments to carry into effect the recommendations of the Economic Conference, which they had unanimously approved. For this reason, the decisions to be taken would have a special influence on future work in the same field. M. Colijn added that qualified opinion on the question of prohibitions had been so decisive and so unanimous, the principle of liberating commerce from restrictions had been so warmly accepted, that if the Conference failed to obtain immediate and practical results, this would re-act unfavourably upon public opinion. He concluded :

It lies within the power of this Conference to take the first small, but definite and practical step, to carry into effect the principles of economic solidarity which the recent world Conference has affirmed. To that extent it can make its modest contribution to furthering the peace of the world. In the confident hope that this will be our aim and this our achievement, I take pleasure in declaring the Conference open.

The origin of the Conference was as follows :

The problem before the Conference has, since 1924, been the object of careful and detailed study by the League Economic Committee acting in cooperation with Governments and interested circles.

These enquiries bore upon the various causes of the system of economic prohibitions and restrictions such as, destruction of economic equilibrium, persistence



of the disequilibrium arising out of the war, supplies and reconstitution of the indispensable stocks of raw materials and foodstuffs, protection of certain industries considered essential to national security, campaign against the rise in prices and wages, defence of the trade balance and exchanges, etc., etc.

The idea of the abolition of the prohibitions and restrictions has, in principle, met with general agreement, this system appearing to be justified only in exceptional circumstances, and the return to the pre-war system being regarded as desirable.

The work of the Economic Committee led to the drawing up of a draft convention which the International Economic Conference approved unanimously last May and which has been taken as a basis for discussion at the Diplomatic Conference of October 17th.

“The system of import and export prohibitions” — said the Economic Committee of the League of Nations in one of its reports to the Council (June 1925) — “especially when coupled with a licensing system, has been repeatedly condemned by authoritative international conferences as constituting a method of restriction which is peculiarly ‘liable to give rise to abuses and, in particular, to inflict on international commerce the grave evils of uncertainty, delay and the possibility of unfair discrimination’.

“For these reasons, import and export prohibitions have been categorically condemned by resolutions of the Brussels Conference (1920), and the Porta Rosa Conference (1921), the Genoa Conference (1922) and the Geneva Conference on Customs Formalities (1923).”

The last-named Conference adopted a Convention on Customs Formalities, which included a general undertaking to limit prohibitions and restrictions as far as possible.

On the 25th September 1924, the fifth Assembly, on the proposal of the Italian delegation, adopted a resolution inviting the Council “to consider the possibility and expediency of an agreement between States Members of the League and States non-Members with a view to the final suppression of import and export prohibitions and restrictions, and, if necessary, to suggest the most suitable methods of achieving this object”.

Some days later the Council instructed the Economic Committee to study this question, and on October 7th the Secretary-General addressed to all States a request for any information of a nature to assist the Economic Committee in its work.

Twenty-eight Governments replied, so that, when the Economic Committee met, in May 1925, it had at its disposal considerable material, which enabled it to judge of the effect produced by the Assembly resolution on Governments of a large number of countries, including all those which played any considerable part in Europe from the point of view of international exchanges.

It learnt, at the outset, that the resolution had come at an opportune moment, and there appeared to be a sufficient consensus of opinion in favour of abolishing or reducing to a minimum the system of import and export prohibitions to warrant preparatory steps being taken with a view to some form of international action.

Accordingly, the Economic Committee, assisted by experts from certain countries not then represented on it (Germany, Austria, Hungary, Serbia), undertook to frame a preliminary draft agreement.

In October, 1925, when this draft was completed, the Council decided to communicate it not only to Governments, but also through them to the groups and persons most directly concerned in the solution of the problem, namely, the commercial and industrial organisations in the different countries. It was also communicated for examination and observations to the International Chamber of Commerce, the International Institute of Agriculture and the International Parliamentary Conference on Commerce.

Thirty-six Governments and the international organisations mentioned above made observations and criticisms. The Economic Committee devoted two sessions

to the examination of this material, of which it retained the essential parts, without modifying the text of its preliminary draft.

Each of the Governments invited to the Conference received, in addition to the text of the draft agreement, that of proposed amendments to certain articles, a brief summary of ideas and suggestions advanced during the consultations undertaken by the Economic Committee, and lastly the observations of the latter on certain articles of the preliminary draft agreement.

b) *Problem of Counterfeit Currency.*

The Joint Committee appointed by the Council to study the problem of eradicating the offence of counterfeiting currency held its second session from October 10th to 13th, under the Chairmanship of M. Vilem Pospisil, Governor of the National Bank of Czechoslovakia. It examined in second reading the preliminary draft convention drawn up at its first session.

The draft convention will be submitted to the Council, together with recommendations concerning its application, and a report serving as commentary.

The Committee proposed that the Council should communicate the draft to all Governments and in the near future summon an international conference for the purpose of adopting a definitive convention.

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The draft Convention contains eleven articles. It provides for :

1) The unification of domestic legislation, to ensure that criminals shall in no case be able to escape punishment, but shall, on the contrary, be faced in all countries with penal measures which are severe and as far as possible certain. The list of recognised criminal offences punishable with adequate penalties shall include all fraudulent manufacture or counterfeit of currency, no matter what means are employed for this purpose, and all fraudulent uttering of currency, including the act of bringing into the country or of being in possession of falsified or counterfeited currency with a view to uttering it, the word currency being understood to mean paper money or metallic money which is legal tender. In no case shall a breach of the Convention be deemed a political offence, owing to the political motive of the offender.

2) It also provides for the establishment of a police organisation to ensure the rapidity and cohesion indispensable to the efficacy of all enquiries of which offenders are the subject. Investigations shall be organised in each State, so far as national legislation permits, by a central police office which will receive all information of a nature to facilitate the investigation, prevention and punishment of counterfeiting. The central offices of the different States will correspond directly with each other.

In order to ensure, improve and develop direct international co-operation in the prevention and repression of counterfeiting, the representatives of the central offices of the High Contracting Parties will hold periodical conferences with the participation of representatives of the banks of issue and of the central authorities concerned. The organisation and management of a central international information office might form the subject of one of these conferences.

Pending the creation of this international central office, the Committee considers it advisable that the International Police Commission at Vienna should continue its work, which is fully appreciated by the Committee, with the greatest possible support of the High Contracting Parties. The information before the Committee shows that in centralising information in connection with counterfeiting currency, the office at Vienna is carrying out work on similar lines to that which will be assigned to the proposed international office.

The draft Convention further provides that any disputes which may arise between the High Contracting Parties regarding the interpretation or application of the Convention shall, if they cannot be settled by direct negotiation, be referred to the Permanent Court of International Justice.

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There were present at the meeting :

*Representative of the Financial Committee :*

Dr. Pospisil, Chairman of the Financial Committee, Governor of the Czechoslovak National Bank, assisted by Dr. Kalab, Professor at Brno University, expert in international law.

*Delegates of Banks of Issue :*

*Banque de France* : M. Collard-Hostingue, Inspector-General.

*Reichsbank* : Dr. Vocke, Privy Financial Councillor, assisted by Dr. Mettgenberg, Adviser to the German Ministry of Justice.

*Swiss National Bank* : M. Schnyder v. Wartensee, Vice-President of the Board of Directors, assisted by M. Schwab, Secretary-General.

*Experts in International Law :*

*Belgium* : M. Servais, Minister of State, Solicitor-General at the Brussels Court of Appeal;

*Great Britain* : Sir John Fisher Williams, Legal Adviser to the Reparation Commission;

*Italy* : Comm. Aloisi, Councillor to the Roman Court of Appeal;

*Roumania* : M. V. Pella, Professor at Jassy University and at the International Law Academy at The Hague, member of the Higher Legislative Council.

*Representatives of Prosecution Authorities :*

*Austria* : M. Schober (Vice-chairman), President of the Vienna Police, former Federal Chancellor, assisted by M. Adler, assistant-adviser to the International Police Commission, and editor of the *Revue internationale des marques caractéristiques des billets de banques et autres valeurs authentiques et de leur falsifications*.

*Netherlands* : Baron v. d. Feltz, Solicitor-General at the Amsterdam Court of Appeal, Chief of the Central Organisation of the Netherlands for the repression of forgery, assisted by M. Broekhoff, Chief Police Inspector, Amsterdam.

The Chief of the Secret Service of the United States Treasury Department, Mr. W. Moran, was unable to attend, being detained for urgent work in his own country.

c) *Unification of Tariff Nomenclature.*

The Committee of Experts on Tariff Nomenclature met at Geneva from October 12th to the 31st and drew up a preliminary draft nomenclature which will forthwith be submitted to the Economic Committee.

This scheme divides nomenclature into 20 sections and 95 headings.

Under the 20 sections are grouped all categories of wares forming the object of transactions, from natural products (raw materials) to semi-manufactured and finished wares.

This classification is established on a simple and logical basis; and abandons on certain points the practice hitherto adopted.

• An eventual sliding scale of duties is provided for by classification based on the greater or less quantity of labour required in the production of the imported wares. The scientific clarity of this nomenclature makes it possible for it to be easily understood not only by customs administrations but also by business men and tradesmen.

The difficulties in the way of the establishment of a unified tariff nomenclature were considerable. Already, on two occasions international congresses had met to study the question — in 1900, after the Paris Exhibition, and, more recently, in 1913 — and after presenting various memoranda on the subject, had dispersed after recognising that it was practically impossible to make even a beginning as regards unification.

Fortunately the work accomplished by the five experts enables a different solution to be envisaged. Not only is it not impossible to realise the unification of nomenclature, but it may be said that the scheme drawn up by the experts offers for the five countries under consideration (Germany, Belgium, France, Italy and Czechoslovakia) a framework in which it is possible to group all goods and wares interesting them economically.

It should be realised that these are countries with a developed agricultural and industrial output. It may therefore be assumed that numerous other countries would be able to adopt this framework.

The advantages which the simplification may be expected to offer are innumerable. One of the most salient is that it will be possible to compare the commercial import and export statistics of the various countries pending the establishment on a similar basis of statistics concerning land, sea and river transport. For this purpose, relations have been established between the Sub-Committee on Tariff Nomenclature and the Advisory and Technical Committee on Communications and Transit.

The five experts on customs questions appointed by the Economic Committee were :

M. Fafl (Czechoslovakia), secretary of the Prague Chamber of Commerce;

M. Fighiera (France), Director of Commercial and Industrial Affairs in the French Ministry of Commerce;

M. Flach (Germany), Adviser to the German Economic Ministry;

M. Magnette (Belgium), Inspector-General in the Belgian Ministry of Finance;

M. Paci (Italy), Director of the Technical Customs Office in the Italian Ministry of Finance.

### 3. — COMMUNICATIONS AND TRANSIT

#### *Statistics in Inland Navigation.*

The Committee for the Unification of Statistics in Inland Navigation met at Geneva from October 12th to October 17th.

The principal question dealt with was that of the unification of statistics of goods transport. The Committee also considered the unification of technical and administrative statistics and prepared draft nomenclatures on both subjects. It examined the question of the form in which statistics should be published.

### 4. — INTELLECTUAL CO-OPERATION

#### *Educational Role of Museums.*

On October 28th and 29th there was a meeting of experts at the Institute of Intellectual Co-operation in Paris to study the educational role of museums,

M. Jules Destrée (member of the Committee on Intellectual Co-operation), M. Focillon (Professor at the Sorbonne), and M. Colosanti (Director-General of Fine Arts, Rome) took the chair in turn; there were also present Sir Cecil Harcourt Smith (British), Mr. Lawrence Vail Coleman (American), M. Chotek (Czechoslovak), M. van Gelder (Netherlands), M. Lefrancq (Belgian), M. Friedlander (German), M. Rossi (Italian) and M. Verne and M. Hauteœur (French).

The experts first explained the different systems of museum education in Europe and America. They then proceeded to an exchange of views, concluding that, in addition to their scientific and technical role, museums should be open to young people and should be visited by them under competent guidance for purposes of methodical study.

The Committee recommended that curricula should include one "museum hour" a week or every fortnight. In cities where there are museums, it was recommended that collections of documents, photographs and casts should be constituted.

The Committee also came to the conclusion that museum education should be organised not only for young people, but also for adults of all classes. To this end, it recommended that, as far as possible, museums should be open at hours other than the ordinary working hours, or that exhibitions should be organised of objects that could be studied by artificial light. It also recommended that museums should be open on Sundays until late, and that the future organisation of museums should provide for evening work.

The Committee finally considered how the special museum libraries might be made accessible to the public, and examined the question of the reproduction of works of art (photographs, casts, etc.) and methods of making them known to the public.

## VI. — Administrative Questions.

### 1. — THIRTY-FIRST REPORT OF THE SAAR GOVERNING COMMISSION

The Saar Governing Commission has addressed to the Secretary-General its report on its work and on the situation in the Saar territory during the third quarter of 1927.

The principal passages of the report may be summarised as follows :

#### I. — ECONOMIC AND SOCIAL SITUATION

Attention is drawn to the prolongation of the Franco-German agreements relating to the commercial operations of the Saar Territory, which expired on June 30th.

The conclusion of the Franco-German Commercial Treaty of August 17th, 1927, is an event of considerable importance for the Territory, and the report recalls that the German and French Governments have agreed to begin negotiations in October with a view to adapting the Franco-German Agreement on the commercial operations of the territory to the situation created by the new Commercial Treaty.

The situation on the labour market has continued to improve. "The number of unemployed registered at the public employment bureaux — 1736 on July 6th last — has constantly decreased, falling to 1541 on September 14th. A similar decrease is noted in the number of persons receiving State unemployment relief. On July 1st, there were 1493 persons receiving the general allowance and 2385 receiving the supplementary allowance; on September 1st these figures had fallen to 1061 and 1780 respectively. The public employment bureaux have found work for 4807 workmen and employees. The Conciliation Commission intervened in ten cases, making six arbitral awards, four of which were accepted and two rejected. Wage

disputes caused four strikes in different industries, affecting 600 workers, and ending very rapidly with a friendly settlement”.

• On the other hand the difficulties experienced by the Saar Mines in marketing their output have not decreased. The labour unions organised on August 8th a protest against the so-called unemployment days and the dismissal of a certain number of workers.

The report adds that the presence of communist factors caused the somewhat sparsely attended demonstration to degenerate into a riot.

Deducting Sundays, holidays and “unemployment days”, the number of working days was 23 in July, 24 in August and 24 in September. Without “unemployment days” the number of working days in a month is twenty-five or twenty-six.

As regards dismissals, the report points out that the number of miners dismissed from April 9th to the end of August was about 800, or roughly 1.1 per cent of the total employed.

The Governing Commission has, moreover, approached the competent administration with a view to obtaining that labourer shall only be dismissed when the commercial situation appears to warrant this measure. No dismissals were notified in September.

After a careful enquiry into present conditions on the European coal market, the Commission has come to the conclusion that they are such as to render difficult the sale of the entire normal output of the Saar coal mines. It has, nevertheless, endeavoured to improve the situation by modifying certain railway tariffs and by concluding with the German *Reichsbahnen* a joint tariff agreement which will facilitate the sale of Saar coal in the South of Germany.

## II. — ADMINISTRATION

The Economic department has continued to observe the trend of the cost of living index, which rose slightly in June as a result of the seasonal increase in the price of potatoes. After reaching the figure of 604, it fell in August to 581 owing to a seasonal increase of the price of dairy produce.

An important programme of road construction and improvement is being carried out.

To promote agricultural interests, officials have been appointed to study improved methods of cultivation. They will be placed at the disposal of the agricultural syndicates, and will direct drainage, irrigation and dam work.

*Education.* — A draft decree obliging all young people, from fourteen to eighteen-years of age, who have left school, to attend courses relating to their profession for eight hours a week on an average during a period of three years has been approved by the Labour Chamber and the Advisory Council.

In this connection the report reviews the development of the vocational training colleges since 1920.

Since that year, more than 500 new training courses, a special school for machine construction, architecture and foremen, a School of industrial art, and normal courses for the preparation of staff have been founded. The number of pupils attending the compulsory training college has risen from 3800 to more than 15,000. 183 professors and about as many assistant masters teach in the vocational training colleges. More than 100 buildings have been placed at the disposal of these schools. The compulsory number of hours of lessons has increased by two-thirds. Considerable teaching material has been accumulated, special visiting teachers have been engaged, and district schools (*Bezirksschulen*) have been founded, which have rendered possible some measure of specialisation. Pupils are grouped according to their professions and receive special instruction by professors especially engaged for the purpose.

To carry out this programme and facilitate the task of the communes, the Treasury has undertaken as from April 1st 1922, to provide for the expenses of post-school teaching staff. Expenditure under this head is now 6,000,000 francs compared with 30,000 marks in 1919.

*Gendarmerie Corps. Railway Defence Troops.* — The report does not mention any change in the gendarmerie corps, which, on September 30th, numbered 1005 men.

The Railway Defence Corps has been constituted in accordance with the decisions of the Council of the League of Nations.

The Belgian and British detachments did not take up their quarters in Saarbrück until July 11th, a certain time being necessary to prepare the premises placed at their disposal. The military buildings vacated as a result of this operation have been placed at the disposal of the Saarbrück municipal authorities and social welfare organisations.

## 2. — TWELFTH SESSION OF THE PERMANENT MANDATES COMMISSION

The twelfth session of the Permanent Mandates Commission opened on October 24th, at Geneva, under the chairmanship of Marquis Theodoli.

The agenda included examination of the following annual reports :

Iraq (under British Mandate; accredited representative : Mr. B. H. Bourdillon, adviser to the High Commissioner for Iraq, assisted by Mr. T. J. K. Lloyd of the Colonial Office, who also acted as assistant to the accredited representatives for British Togoland and Cameroons);

The Cameroons (under British Mandate; accredited representatives : the Hon. W. G. Ormsby-Gore, Under Secretary of State for the Colonies, and Mr. H. R. Palmer, Lieutenant-Governor of the Northern provinces of Nigeria);

Togoland (under British Mandate : accredited representatives : the Hon. W. G. Ormsby-Gore and Mr. H. S. Newlands, District Commissioner of the Gold Coast);

Ruanda Urundi (under Belgian Mandate; accredited representative; M. Halewyck de Heutsch, Director-General in the Belgian Colonial Ministry);

Samoa (under New Zealand Mandate; accredited representative : Sir James Parr, High Commissioner for New Zealand in London);

Pacific Islands under Japanese Mandate (accredited representative : M. Sato, Minister plenipotentiary, Director of the Japanese League of Nations Office).

Various petitions, including one concerning natives of the Adjigo tribe (French Togoland) and one from members of the Rehoboth community (South West Africa); and questions of procedure relating to petitions, and certain general problems, such as ex-enemy property, the liquor traffic, etc. also figured on the agenda.

The following took part in the work of the session :

M. Freire d'Andrade, former Minister of Foreign Affairs (Portuguese);

M. Merlin, former Governor-General of the Colonies (French);

M. Pierre Orts, Minister Plenipotentiary (Belgian);

M. L. Palacios, Professor at Madrid University (Spanish);

M. William Rappard, Rector of the University of Geneva (Swiss);

M. van Rees, former vice-chairman of the Council of the Dutch East Indies (Netherlands);

Marquis Theodoli (Chairman), former Under-Secretary of State in the Colonial Ministry (Italian);

Mme. Wicksell, Doctor of Laws (Swedish);

M. Kastl, the German member appointed by the Council to serve on the Commission, took part in its work for the first time.

Sir Frederick Lugard, former Governor of Nigeria (British) and M. Yamanaka, former Councillor of Legation (Japanese), were unable to attend.

Mr. Grimshaw represented the International Labour Office.

An account of the proceedings will be given in the November number of the *Monthly Summary*.

## VII. — Social and Humanitarian Questions.

### TENTH (EXTRAORDINARY) SESSION OF THE ADVISORY COMMITTEE ON TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS

The tenth session of the Advisory Committee on Traffic in Opium and other Dangerous Drugs was held at Geneva from September 28th to October 8th under the chairmanship of Sir John Campbell (India).

This extraordinary meeting had been summoned by the Chairman on the authorisation of the Council with the primary object of considering the question of the illicit traffic; advantage was taken of the opportunity presented to consider various cognate questions such as the formation of an international syndicate of drug manufacturers (proposal of Dr. Anselmino, Germany); opium production in Persia; and the reservations made by the Swedish Government regarding its accession to the Convention adopted by the second Opium Conference.

Following the customary procedure all questions of general interest were discussed in public, the private meetings being devoted to certain details of the illicit traffic.

*Progress Report.* — On certain important points, the Committee noted that progress had made in the application of the measures suggested. For instance, since its last session there have been several ratifications of the Geneva Convention of 1925, the importance of which the Committee has increasingly emphasised. The Convention has now been ratified by twelve countries, three of which are members of the League Council, and has been acceded to by six States. The Committee took this occasion of reiterating that it regarded the ratification and rigid enforcement of the Convention as the most valuable steps that could at present be taken to combat the illicit traffic.

The Committee examined the question of the reservations made by the Swedish Government in regard to Article 6 (c) of the Convention, which requires that pharmacists shall enter in their books all sales of narcotics and file and preserve the relevant prescriptions.

The Swedish Government considered that accession to the Convention would involve changes in its legislation, which, without giving an additional guarantee against the illicit traffic, would cause such inconvenience to the population that they could hardly be recommended. It had, therefore, asked the Secretary-General to cause an examination to be made of the question whether Sweden could accede to the Convention subject to reservation.

This request was communicated for observations to the Governments signatory to the Convention, and in June, 1927, the Council decided to seek the opinion of the Advisory Committee on the Traffic in Opium.

At its extraordinary session the Committee heard M. Hennings (Sweden) and M. Lange (Norway), who drew its attention to the similarity of the situation in Norway and Sweden in this respect. In view of the fact that its next ordinary session would be held in January, the Committee decided not to take a definite decision for the moment, but to communicate to the Council and the Swedish Go-



vernment the minutes of its discussion, so as to give the latter time to reconsider the matter.

As regards the measures proposed by the Committee to impede the dispatch of opium for the Persian Gulf to „illicit” destinations, they appear to have been reasonably successful. Satisfactory progress was also noted as regards the general adoption of the maritime insurance clause, with the object of rendering more difficult the dispatch by sea of consignments intended for illicit traffic.

*Opium in Persia.* — The Committee examined the report of the Commission of Enquiry into Opium Production in Persia. It paid a tribute to the thoroughness and skill of the Commission and expressed its gratitude to the Persian Government for the manner in which it had responded to the suggestions of the Commission.

In the course of the discussion it was pointed out that Persian opium had in the past been freely used as raw material for the manufacture of morphia, and that there was every reason to believe that, its price permitting, it would again be so used in the future.

*Memorandum by M. Cavazzoni suggesting a System for the Control of the Drug Traffic.* — The Italian delegate, M. Cavazzoni, submitted a memorandum containing a complete scheme for the control of the drug traffic. He explained that, in his view, the campaign against the narcotic traffic had not been so successful as had at first been anticipated. Despite the efforts of the Committee, the Council and the Assembly, the drug traffic still continued; he felt that a uniform method must be prescribed, enabling all Governments to apply, with uniformity and certainty, the principles underlying the Hague and Geneva Conventions.

The detailed scheme which he submitted for consideration was, he thought, in accord with the letter and the spirit of the Hague and Geneva Conventions, and many of its provisions had produced satisfactory results in the countries in which they were applied.

Despite certain objections and difficulties, the Committee felt that the moment was opportune for a general examination of the question of the best methods of drug control, and for the preparation of a report based on experience of the existing measures and methods of administration found effective. The Geneva Convention of 1925 would, it hoped, shortly be in force; and Governments might be glad of assistance in drawing up a practical and adequate code of control based on their obligations under that Convention. To prepare the report the Committee appointed a sub-committee composed of M. Cavazzoni, Dr. Carrière, Sir Malcolm Delevigne, Dr. Anselmino, M. Bourgeois and Mr. van Wettum.

*Illicit Traffic.* — Following the practice adopted of recent years, the Committee examined, case by case, all the seizure reports received since its last meeting. To give a concrete idea of the magnitude of the work involved, and of the broad base of experience which this system places at the disposal of the Committee, it may be mentioned that, at the present session, 83 reports were examined relating to seizures of narcotics in all parts of the world.

The Committee considered that co-operation between Governments was unquestionably much better than only a short time ago. The exchange of information between national customs and police authorities is quicker, and covers a wider field: the system of control generally is being steadily improved by an increasing number of Governments: the import and export certificate system, on which all control depends, is becoming more widely adopted, and is gradually being more efficiently applied. While fully realising the enormous extent of the traffic the Committee considered that the effect of these measures in diminishing its volume could not be open to doubt.

During the debate Colonel Woods (American), assessor, suggested that, as the illicit traffic was continuing on an enormous scale and was backed by huge financial

resources, smuggling, though capable of considerable restriction, could not, on account of its great financial gains, be wholly stopped by measures falling short of complete government control, which was all the more feasible as there were only 40 drug factories in the world, located in eight countries. The Committee unanimously recommended that the Council should urge upon Governments that all dangerous drugs factories be owned or adequately controlled by them, in such a way as at least to require an accurate accounting of all internal traffic, to control licences, to enforce rigidly the import and export certificate system, and to control strictly the export of dangerous drugs to any country not enforcing this system.

The Committee unanimously adopted the principle of the draft resolution.

It heard M. Rottner, Vice-Director of the Bureau of the World Postal Union at Berne, on questions concerning drug traffic by post, and Mr. Herbert May, of the Foreign Policy Association, on the situation as regards opium smoking in the Far East.

\* \* \*

With regard to two important questions—a suggestion submitted by the German representative, Dr. Anselmino, for the formation of a private syndicate of drug manufacturers with a view to combating the existing abuses in the traffic, and the relations between the Advisory Committee and the Central Board provided for by the Geneva Opium Convention—the discussion was adjourned to the next session.

\* \* \*

Finally, the Committee adopted the report on the work of its tenth session which will be submitted to the Council in December, and decided to leave it to its Chairman to fix the date of its next ordinary session.

### VIII. — Forthcoming Events.

- November 15th : Meeting of the Special Body of Experts on Traffic in Women and Children, Geneva.
- November 21st : Meeting of the Committee of Experts on Bills of Exchange, Geneva.
- November 23rd : Meeting of the Permanent Committee on Road Traffic, Geneva.
- November 29th : Meeting of the Financial Committee, Genève.
- November 29th : Meeting of the Economic Committee, Geneva.
- November 30th : Meeting of the Preparatory Commission for the Disarmament Conference, Geneva.
- December 5th : Forty-Eighth session of the Council, Geneva.

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# MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

Vol. VII. No. 11.

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### I. — Summary of the Month.

NOVEMBER 1927

During November interest centred on two events of special importance. The first — the conclusion of an international convention for the abolition of import and export prohibitions and restrictions — took place at the beginning of the month. The Convention was immediately signed by eighteen States and, as the first multi-lateral commercial treaty, constitutes, in the words of the President of the Conference which drew it up, an entirely new departure in international relations.

The second event of note was the meeting of the Preparatory Commission for the Disarmament Conference towards the end of the month. This meeting was attended by representatives of the United States and of the Union of Soviet Socialist Republics, its main object being the constitution of a special committee on arbitration and security.

The Health Committee and the Permanent Mandates Commission finished the work of their semi-annual sessions, the former adopting a comprehensive plan for cooperation with the Latin-American health services. Expert committees on road traffic, bills of exchange and traffic in women and children also met during the month.

The Permanent court of International Justice proceeded with its hearings in the Chorzow Factory Case between Germany and Poland.

## II. — The Permanent Court of International Justice <sup>(1)</sup>.

### CASE CONCERNING THE FACTORY AT CHORZOW

#### a) *Request for interpretation of Judgments 7 & 8* <sup>(2)</sup>.

In accordance with the invitation sent to it, the Polish Government, on November 7th, filed a written statement in regard to the request for an interpretation submitted by the German Government. Without expressing its views as to the construction which should be placed upon the judgment in question, if an interpretation were to be given, the Polish Government set out reasons why, in its opinion, the Court should declare that the request of the German Government could not be entertained.

In these circumstances, the Court, by a decision taken on November 9th, granted the German Government until November 21st to supplement its original statement in regard to its request for an interpretation, and to submit observations and conclusions in regard to the Polish statement. At the same time the Court granted the Polish Government until November 21st to supplement that statement, should it desire to do so.

At the expiration of the time thus fixed, the Court received a further statement from the German Government, whilst the Polish Government announced that it did not intend to submit one. In its supplementary statement the German Government, amongst other things, asked the Court to take the objections raised by Poland as to the admissibility of the request for an interpretation together with the question of interpretation itself.

In these circumstances, the Court first decided that the case should be placed on the list for the present session, and secondly, that a hearing should be held on November 28th in order to enable the representatives of the Parties to make further statements.

At this hearing, the two National Judges, M. Rabel (Germany) and M. Ehrlich (Poland) made the customary solemn declaration, whereupon the President declared them duly installed as Judges *ad hoc*.

M. Kaufmann, representative of Germany, first presented the views of his Government on the matter, after which M. Sobolewski, representative of the Polish Government, addressed the Court. M. Kaufmann made a short reply to M. Sobolewski's statement : M. Sobolewski, however, waived his right to make a Rejoinder as he considered that the discussion on the question in dispute had already been exhausted.

The Court then withdrew to consider its Judgment.

#### b) *Request for the indication of measures of interim protection.*

By Judgment No. 8 of July 26th, 1927, the Court decided to reserve for judgment on the merits the suit brought by the German Government in regard to the payment by the Polish Government of an indemnity of more than 100 millions Reichsmarks for the benefit of the German companies which, prior to July, 1922, owned the nitrate factory at Chorzow.

By a request filed with the Registry on November 15th, the German Government asked the Court to indicate to the Polish Government that it must pay to the German Government, as an interim measure, the sum of 30 millions Reichsmarks within one month from the date of the Court's Order to that effect.

(1) This article has been compiled with the aid of information furnished by the Registry of the Court.  
(2) See *Monthly Summary*, September and October, 1927.

The German Government considered that the principle of an indemnity had been accepted on both sides, so that the Court in its Judgment had only to fix the maximum amount of the indemnity, the minimum amount of which was 30 millions. It also submitted that, failing the immediate payment of this sum, the damages would increase and the injury become irreparable.

The Court, however, by an Order made on November 21st, decided not to give effect to the request of the German Government. It observed that, in Judgment No. 7, it had reserved for judgment on the merits the claims for indemnities submitted in the German Government's Application. It also observed that the new request of the German Government could not be regarded as relating to the indication of measures of interim protection, but rather as designed to obtain an interim judgment in favour of a part of the claim formulated in the Application in question. The Court therefore considered that the new request made by the German Government was not covered by the terms of the provisions of the Statute and Rules of Court relating to measures of interim protection cited by the applicant Government.

### III. — The Reduction of Armaments.

#### FOURTH SESSION OF THE PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE

The Preparatory Commission for the Disarmament Conference met at Geneva on November 30th with M. Loudon (Netherlands) in the chair. Two items figured on the agenda, namely, the examination of the resolutions of the Assembly and the Council and the discussion of the position as regards the work.

The following States were represented : the Argentine Republic, Belgium, Bulgaria, the British Empire, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Finland, France, Germany, Greece, Italy, Japan, the Netherlands, Poland, Roumania, the Kingdom of the Serbs, Croats and Slovenes, Sweden, the Union of Soviet Socialist Republics (for the first time) and the United States of America.

An account of the proceedings will be given in the next number of the *Monthly Summary*.

### IV. — Legal and Constitutional Questions.

#### INTERNATIONAL ENGAGEMENTS

##### a) *Registration.*

Among the treaties and international agreements registered in November figure :

Five treaties deposited by Italy, namely,

a Treaty of Friendship, Conciliation and Judicial Settlement (Madrid, August 7th, 1926) between Italy and Spain; a Treaty of Friendship and Economic Relations (Sanaa, September 2nd, 1926) between Italy and Yemen; a Pact of Friendship and Cordial Collaboration (Rome, September 16th, 1926) between Italy and Roumania; a Treaty of Friendship, Conciliation and Arbitration (Rome, April 5th, 1927) between Italy and Hungary; and an Agreement between Italy and Germany (Rome, September 1st, 1927) with regard to certain questions connected with Articles 296 and 297 of the Treaty of Versailles (settlement of debts, insurance, German property in Italy).

An Agreement between Greece and Turkey, deposited by Greece, for the facilitation of the execution of certain clauses of the Treaty of Lausanne and

Declaration No. IX<sup>1</sup>, with an Annex, Final Protocol and Declaration signed at Athens, December 1st, 1926, and two Protocols signed at Angora, June 21st, 1925.

An exchange of Notes between Luxemburg and Norway, deposited by Norway, abolishing the passport visa between the countries as from January 1st, 1928.

b) *Adhesions and Ratifications.*

The British Government has acceded to the International Convention for the Prevention of Traffic in Women and Children (Geneva, September 30th, 1921) on behalf of the Colony of Sierra Leone. This accession does not extend to the Protectorate.

## V. — The Technical Organisations.

### 1. — THE HEALTH ORGANISATION

#### *Eleventh Session of the Health Committee.*

The Health Committee held its eleventh session at Geneva from October 18th to November 3rd (2). Professeur G. Araoz Alfaro (President of the National Department of Health, Buenos Aires) and Dr. H. Carrière (Director of the Federal Health Service, Berne) were elected vice-Chairman for the year 1928. The third vice-chairman, Mr. O. Velghe (Secretary-General of the Ministry of the Interior and of Public Health at Brussels), holds his post *ex officio* as Chairman of the Committee of the Office International d'Hygiène Publique.

The Committee reviewed the main activities of the Health Organisation during the past year and laid down its general programme for 1928. The two principal questions on the agenda were the development of the liaison with Latin-America and the work of the Malaria Commission, which met just before the session of the Health Committee.

I. LIAISON WITH LATIN-AMERICA. — The Committee considered the report presented by its President and Medical Director on their technical mission to certain Latin-American countries this summer, which began with the meeting of South American experts in infant and child hygiene, convened at Montevideo by the Health Committee to determine the programme and methods of the enquiry into infant mortality which it was proposed to conduct in the Argentine, Bolivia, Brazil, Chile, Paraguay and Uruguay. Professor L. Calvo Mc Kenna (Vice-President of the Chilean National Patronage for Infancy, and Medical Director of the Orphans' Home, Santiago, Chile), Dr. J. Do Barros Barreto (Chief Assistant to the Director of the Federal Public Health Service in Brazil), who took part in the Montevideo meeting, as well as Professor de Paula Souza (former director of the Sao Paulo Health Service), and Dr. Zwanck (chief of the Argentine Health Service) were present while the Health Committee discussed this subject.

*Enquiry into infant mortality.* — The enquiry into infantile mortality undertaken in Europe aimed at eliciting information as to the protection of infant life. This question, important as it is in certain European countries, is an even greater and more urgent problem in South America, where under-population is a problem, and infant mortality rates are comparatively high.

The Montevideo Conference decided on a preliminary enquiry, in the Argentine, Brazil and Uruguay. In the Argentine, two municipal districts in the city and

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(1) For the membership of the Committee, see *Monthly Summary*, vol. VII. No. 10, page 273.



one in the province of Buenos Aires were chosen, as well as the municipality of Tucuman and two rural districts in the province of Tucuman. In Brazil there will be extensive studies, urban and rural districts with a negro population having been selected in Bahia, municipal and rural areas in the federal districts of Rio de Janeiro, and similar areas in the municipalities and state of Sao Paulo, particularly among the Italian population. Districts were also selected in Uruguay. The preliminary investigation, it is hoped, will be completed by the end of the year, so that a detailed study may be carried out in 1928.

Professor Gregorio Araoz Alfaro (President of the National Health Council of the Argentine, and vice-President of the League Health Committee), Dr. Velasco Blanco (Joint Director of the Bolivian Federal Health Service), Professor A. Gubertich (Director of the Paraguayan National Department for Hygiene and Public Assistance), Professor Luis Morquio (Professor at the Montevideo Clinic of Pediatrics), Dr. Barreto and Professor McKenna, all of whom were at the Montevideo Conference, were entrusted with the organisation of the investigation.

*Study of Leprosy.* — Proposals were also discussed and approved in principle for cooperation between the Health Committee and the Brazilian health authorities for the purpose of setting up an international centre for the scientific study of leprosy, a prevalent disease in Latin-America, as well as for establishing an international school of public health under the auspices of the League at Rio de Janeiro.

*International Public Health School.* — The basis of this school will be the two years' university continuation course for the training of public health officers started in 1926 by the Director of the Oswaldo Cruz Institute of the Rio Faculty of Medicine. The plan is that this school should be given permanent standing as a school of public health under the auspices of the League, and an international character 1) by the establishment of programmes in consultation with the Health Committee (which will also consider an annual report on the school's work); 2) by the grant of scholarships from the Health Organisation to Latin-American medical officers other than Brazilian, to enable them to attend the lectures and field work organised by the school and 3) by sending at the Health Committee's invitation one or two foreign experts to give a six months course at the school each year. The training of public health officers is an urgent need in many Latin-American countries, and the proposed international school would help to ensure a supply of sanitary personnel for Brazil, and also to train medical officers for Latin-American Republics lacking a fully developed sanitary organisation and adequately trained staff.

*Serological standardisation and Vital Statistics.* — A further proposal, from the State of Sao Paulo in Brazil, sought the collaboration of the Health Committee in regard to problems relating to the diagnosis and treatment of syphilis. This proposal was approved, and an expert serologist will be sent by the Health Committee to study and to make known the work of the Health Organisation on this subject, as well as to coordinate the work of the various laboratories in Brazil, and, later, of the different institutes in Brazil, Uruguay and the Argentine.

*International School for Infant and Child Hygiene.* — As regards the Argentine Republic, Professor Araoz Alfaro's proposal for the foundation of an international school for infant and child hygiene at Buenos Aires with provincial stations, under the auspices of the League, was welcomed by the Health Committee. The newly-constructed maternity institute at Buenos Aires, perhaps the finest institute for social medicine in the Argentine, will be the nucleus of the new school. Existing agencies could be amalgamated into one directing council, whose president would be appointed by the Health Committee. The school would provide training for medical and nursing personnel, and would have a number of provincial stations in districts with high infant mortality as well as in those attracting large numbers of immigrants. The Health Committee would nominate the Secretary-General in

agreement with the directing council, and the League would grant scholarships to Latin-American doctors and nurses as well as participate in the cost of certain investigations of an international character undertaken by the provincial centres (such as the infant mortality enquiry now being conducted).

The Health Committee expressed satisfaction at the readiness of the Uruguayan Government to collaborate closely with the joint Commission of Experts for the study of the relationship between public health services and health insurance organisations, and noted that the President of the National Health Council of Uruguay was prepared to come to Europe in order to keep in touch with the work of that commission. The Health Committee requested the Council of the League to examine with the Governments concerned arrangements to enable the proposed schools and study centres in Argentine and Brazil to be placed under the auspices of the League of Nations.

2. **MALARIA.** — *2nd General report of the commission.* — The Chairman of the Malaria Commission presented the second general report of the Commission, containing its conclusions on measures for dealing with malaria in Europe as well as a general discussion of such measures, and of the experience on which its conclusions are based. The report emphasises the Commission's view that no one method of malaria suppression can be considered best, and that, on the contrary, each district must be carefully studied before deciding what methods are the most likely to yield good results. The practical necessity is also pointed out of keeping the balance between preventive and curative measures and of limiting expenditure on anti-malaria measures in accordance with the relative importance of the disease as compared with the importance of other diseases and conditions affecting public health.

*Result of visit to United States.* — A special report was presented by the two members of the Commission Colonel S. P. James (of the Medical Intelligence Service in the British Ministry of Health) and Professor N. H. Swellingrebel (Institute of Tropical Medicine, Amsterdam) on their visit to certain districts in the Mississippi basin, in order to study various features of anti-malaria technique, such as anti-*larval* measures and Bass's experiments on the exclusive use of quinine, as a control measure, which bear on the results obtained from previous investigations in Europe. The Health Committee decided that this report contributed fresh data to those forming the basis of the general report of the Commission in Europe and raised questions requiring detailed consideration at a future general meeting of the Commission, to which malariologists from the United States would be invited. The Medical Director was requested to take the necessary steps to convoke this session, and to obtain the observations on the above-mentioned report of all the members of the Commission, as well as of the authorities of the United States Public Health Service and of the International Health Division of the Rockefeller Foundation.

*Investigation in India.* — The information gained in America and Europe will be supplemented by an investigation in India, as the Health Committee has accepted an invitation from the Indian Government to study this problem in India.

*Research Work.* — The Commission will continue its scientific studies of problems concerning the epidemiology of malaria, such as the relation of river deltas to endemic malaria, the therapeutic properties of various alkaloids of cinchona other than quinine, etc.

*Malaria Courses.* — The Health Committee noted the growing usefulness and popularity of the malaria courses instituted at Hamburg, London and Paris, which are to be continued in 1928, and requested the Medical Director to get into touch with authorities of the Higher School of Malariology in Rome, in order to organise a similar course at this centre, which also gives a special course for engineers. Va-

rious improvements in theoretical courses and practical study in malaria districts for the training of young malariologists were also suggested.

*Anti-Malaria Work among Bulgarian Refugees.* — The Committee expressed its agreement with the measures proposed by the Malaria Commission in connection with Professor Swellingrebel's special mission, undertaken at the request of the League Commissioner at Sofia, to organise an effective campaign against malaria in the Bourgas region. These measures are already yielding results, but the prevention of malaria is only part of the health problem of Bulgarian refugees, and requires a general development of public health and medical services, not only in the Bourgas district, but also in other refugee districts, and particularly in a second area selected by the League Commissioner.

The Health Committee instructed the Malaria Commission and the Health Section to coordinate this work with what is already being done in the Bourgas district.

3. EPIDEMIOLOGICAL INTELLIGENCE AND PUBLIC HEALTH STATISTICS — *Periodical Publications.* — The Committee noted the steady extension and improvement of this service, and particularly the recent rearrangement of the weekly record, the monthly epidemiological report and the annual epidemiological record, in order to make these publications more useful to health administration. The extension of the work of the Singapore Bureau, the increasing use of wireless for transmitting its bulletins, the growth of the practice of informing ports of call through the Bureau of the arrival of infected ships, the research work being done under the auspices of the Advisory Council of the Bureau, and certain questions concerning the constitution of the Advisory Council, were also discussed.

*The Experts' Conference.* — The Committee adopted the conclusions of a small conference of experts held just before its session to discuss the form of presentation of the League's periodical epidemiological publications, the question of the wireless transmission of such data, and the general use of a code based on the AA cable code now used for the Singapore Bureau. The experts were from the health services of Great Britain, the United States, Australia, the Sanitary Maritime and Quarantine Board of Egypt, and the health service of Algiers, all of which have an extensive foreign epidemiological intelligence service. The advantages of coordinating these services with the central intelligence service at Geneva and obtaining the greatest possible degree of uniformity in the collection and transmission of epidemiological data, are obvious.

4. LIAISON WITH NATIONAL HEALTH ADMINISTRATIONS. — *Record for 1927.* — The Health Committee considered the results of the interchanges of public health personnel in Great Britain and Germany last year, as well as of the international courses for public health officers in Paris and London, and individual missions and scholarships which enabled health officers of various administrations to study special public health problems in countries other than their own.

*Interchange in India.* — For 1928 the Committee discussed a general interchange to take place in India from January 1st to March 18th and to be attended by medical officers from the health administrations of Australia, Ceylon, China, the Dutch East Indies, Egypt, the Federated Malay States, Indo-China, Japan, Persia, the Philippine Islands, New Zealand, Siam and the Straits Settlements. The President of the Health Committee will attend this interchange, which will begin soon after the Congress of the Far Eastern Association of Tropical Medicine in Bombay, and the session at Delhi of the Advisory Council of the Singapore Bureau.

*The 1928 Programme.* — In addition to the Indian interchange the programme for 1928 includes an interchange in Italy, an interchange devoted to rural problems

of sanitary engineering and a collective study tour in the Kingdom of the Serbs, Croats and Slovenes and neighbouring countries of East-Central Europe, as well as various scholarships and individual missions to overseas countries.

*Health Survey of the Austral-Pacific Area.* — The Committee expressed its appreciation of the invitation of the Australian Government to undertake a study of health problems in the Pacific area, beginning with a preliminary survey of health conditions in Papua, New Guinea, the New Hebrides, New Caledonia, the Solomon Islands and Fiji. This invitation was the result of a recommendation made by the International Pacific Health Conference, held at Melbourne in December, 1926, and attended by a representative of the Health Committee, and was the subject of a resolution of the eighth Assembly.

*Education in Public Health.* — In view of the report on the conferences held at Budapest and Zagreb on the occasion of the opening of new schools of public health established in those cities with the aid of the Rockefeller Foundation, and the recommendations made by the directors of schools of hygiene in East-Central Europe represented at these conferences, the Health Committee reconstituted its Commission on Education in Public Health and Preventive Medicine.

5. OPIUM AND DANGEROUS DRUGS. — The Health Committee forwarded to the Council the opinion of the *Office international d'Hygiène publique* that eucodal and dicodide were narcotics liable to produce injurious effects analogous to those coming within the scope of the International Opium Convention of February 19th, 1925. It also approved a report of its Opium Commission pointing out that certain other products were liable to cause similar injurious effects and should therefore come under the Convention and, in accordance with the procedure laid down by the Convention, requested the Permanent Committee of the *Office international* to give its opinion on this subject.

6. SLEEPING SICKNESS. — The report of the International Commission on Sleeping Sickness in Equatorial Africa was discussed and the Health Committee invited the Commission of Experts, which had proposed the despatch of the Commission of Enquiry to Africa, to examine the scientific and administrative conclusions of the final report. It requested the Council to enquire whether the Governments which had participated in the first International Conference on Sleeping Sickness (London, 1925) would be willing to send technical delegates to a second Conference with the object of studying the report of the Commission of Enquiry, together with the observations of the Commission of Experts. It recommended that the Council, in the event of an affirmative reply, should place at the disposal of Governments, for the work of this Conference, the technical collaboration of a delegation from the Health Committee and from the Health Section of the Secretariat. The Committee thanked the members of the Commission of Enquiry and the Sanitary and Colonial Administrations which had supported it in its task, and placed itself at the disposal of the Council and the Governments interested for the continuation of this international effort, either by technical studies or as a mechanism of coordination between the various health administrations.

7. RABIES CONFERENCE. — The report of the Anti-Rabies Conference, calling for a number of enquiries was considered by the Committee, which decided that the Health Organisation should secure the cooperation of an expert or experts for carrying out the work proposed by the Conference.

*Cancer Commission.* — The Health Committee adopted the report of its Cancer Commission, which has now terminated its investigation of the wide divergencies existing between the rates of cancer mortality in different countries, requested the Commission to present for consideration at the next session an analysis of the proposals received for new work of an international character on the subject of cancer,

and, to facilitate this task, asked the Medical Director to consult experts in different countries.

## 2. — THE ECONOMIC AND FINANCIAL ORGANISATION

### *Import and Export Prohibitions and Restrictions.*

The International Conference for the abolition of import and export prohibitions and restrictions sat in Geneva from October 17th to November 7th.

It drew up and adopted a Convention and Additionnal Protocol which have so far been signed by eighteen States, namely : Austria, Belgium, Great Britain, Bulgaria, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Hungary, Italy, Japan, Luxemburg, the Netherlands, Roumania, Siam and Switzerland.

The Contracting Parties undertake to abolish all existing import and export prohibitions and restrictions and not to impose new ones within a period of six months after the coming into force of the Convention and subject to certain duly specified exceptions. The procedure instituted is designed systematically to reduce such exceptions as may provisionally be allowed to the general principle of the abolition of prohibitions.

The work of the Conference may be considered as a first step towards the execution of the recommendations of the Economic Conference of May 1927 with regard to the liberty of trade.

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The discussions of the Conference disclosed the extreme complexity of the problem and showed that this system, whose existence is a subject of regret to anyone considering the question as a whole and from the point of view of the general interest, had taken deep root in the commercial policy of European States in particular, and that its abolition would affect numerous private enterprises. They also revealed the interdependence of certain prohibitions and the effect of prohibitions in one State upon the regime in force in other States for similar or other wares. For example, it was stated by certain delegates that the prohibition of the import of dyestuffs into Great Britain (Dye Stuffs Import Regulations Act, 1920, which will expire in 1930) was the reason alleged by Germany for maintaining the prohibition of the import and export of coal; that the latter measure was the reason given by France and other countries to justify the prohibition of the export of scrap iron. Certain prohibitions, those concerning raw hides, bones, etc. are maintained in certain countries purely and simply because they exist in others, and because manufacturers utilising such raw material consider that they are entitled to similar measures of protection to those enjoyed by their rivals abroad.

These examples show that the Conference had to deal with concrete problems affecting enormous interests. Others may be quoted, in particular, the export of oil from Roumania, of nitrates from Japan and other countries, the import or export of various goods in Czechoslovakia, the question of veterinary measures with regard to the import of live stock, which sometimes amount to disguised measures of prohibition.

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• In the preliminary draft drawn up by the Economic Committee, which served as a basis of discussion, account had been taken of the necessity of maintaining certain prohibitions whose suppression did not for special reasons, seem desirable. To this end, the draft provided for a series of exceptions based upon non-economic considerations such as national defence, public order and security, the protection of animals and plants against disease, the protection of national artistic property, the necessity of continuing to apply certain national laws or international conventions, the protection of State monopolies, etc.

It also provided a kind of safety-valve, in the form of a clause enabling Contracting States to re-establish prohibitions in extraordinary or abnormal circumstances (catastrophes, etc.).

There were protracted debates on this subject. From the very outset there were two currents of opinion, one in favour of limiting as far as possible the number of exceptions with a view to the general abolition of prohibitions; the other maintaining that, if too much were required, certain States would not be able to accede to the Convention.

The question was to find a compromise and the Conference solved this difficulty by a procedure which seems complicated, but should be effective. In the first place, it amended the articles of the draft Convention concerning exceptions in normal and abnormal circumstances and based upon non-economic grounds. The wording was made more precise so as to leave as few loop-holes as possible. An additional article was drawn up enabling Parties to make reservations in regard to certain temporary exceptions, with the agreement of the other Contracting Parties; these exceptions concern prohibitions which States consider it impossible to abolish at once, but which they undertake to suppress as soon as the circumstances from which they arise no longer exist; and certain prohibitions which it would be difficult to abolish and which do not affect prejudicially the trade of other countries.

Certain reservations of this kind were made before the conclusion of the Convention and were examined by the Conference so as to make sure that there were no exceptions to the principle thus established. Others may be made before February 1st, 1928, when Governments will have had sufficient time to study the Convention, and will be examined at a meeting of the signatories between June 15th and July 16th.

At this meeting the situation will be studied in the light of the reservations and the number and geographical position of the States acceding to the Convention. The conditions of the entry into force of the latter and the time-limit for the deposit of ratifications will also be determined.

It is provided that in three or five years (according to the reservations) after signing the Convention, any signatory may denounce it, should it consider that certain temporary exceptions have been unduly prolonged. Moreover, any Contracting Party can denounce the Convention five years after its coming into force. Finally, if, as a result of such denunciations, the conditions governing the coming into force of the Convention no longer exist, a fresh Conference may be convened to examine whether the Convention should, nevertheless, remain in force between States which have ratified it.

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This procedure merits special attention as it is one of the essential factors of the work of the Conference.

To sum up, it comprises reservations approved before signature; the possibility of making further reservations before February 1st, 1928; examination of the latter at a meeting of Signatories between June 15th and July 15th; the determination at that meeting of the conditions for the coming into force of the Convention and of the time-limit for the deposit of ratifications; the abolition, six months after the coming into force of the Convention, of all prohibitions the maintenance of which has not been agreed to; the possibility of denouncing the Convention three years after signature, if temporary exceptions are unduly prolonged; the possibility of denouncing it five years after signature, for certain prohibitions; the possibility of convening a fresh Conference, should the denunciations affect the general scope of the Convention.

This procedure was adopted in order to enable the greatest possible number of States to accede to the Convention and to facilitate the abolition of various prohibitions while leaving time for the measures which certain Parties will have to take. Thanks to this machinery, the Conference hopes — if there are sufficient

accessions — that all prohibitions and restrictions which are not considered justified will gradually disappear, and that in five years pre-war conditions will to all intents and purposes have been re-established, as recommended by the Economic Conference.

To complete this analysis of the principal clauses of the Convention and its annexes two further points must be mentioned :

The first concerns a procedure of conciliation and arbitration for the friendly settlement of disputes regarding the interpretation and application of the Convention. For disputes concerning provisions other than those dealing with exceptions and reservations, reference is contemplated to a technical League body (to be appointed by the Council) and to arbitral and judicial procedure. Legal disputes will be referred either to the Permanent Court of International Justice or to an arbitral tribunal, should one of the parties so request. Contracting Parties may also undertake, subject to reciprocity, to extend to disputes concerning exceptions and reservations the procedure contemplated for disputes of a legal nature.

There were exhaustive debates on these clauses, as compulsory arbitration is an entirely new departure in this connection and the Conference wished to gain some idea as to its possible consequences.

The second point worthy of note concerns import and export restrictions to protect animals or plants against disease. While recognising that sanitary or veterinary measures might legitimately be applied, the Conference endeavoured to prevent such measures from becoming a disguised form of economic protection. For this reason it recommended the Council to undertake investigations, enquiries and consultations with a view to summoning one or more conferences of experts to study measures of proved efficacy in animal and plant disease and how to adjust them strictly to risks of infection.

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In his closing speech the President drew attention to the new system introduced by the Convention. He said :

This Convention is the first multi-lateral treaty regulating commercial relations between states. This is a remarkable and, I suggest, a very hopeful new departure in international relations. The attempt to regulate by *general* agreement the commercial relations between States on a matter such as prohibitions of imports and exports, which affects very serious interests, is in itself a substantial advance on anything which has gone before. It is right and proper that this attempt should be made under the auspices of the League of Nations. For it is one which is in harmony with the fundamental conception of the League; it is designed to further its ends — cannot indeed fail to further those ends if it is consistently pursued.

In this sense I think, and to this extent, the Convention which we have reached is also an illustration of one of the fundamental principles laid down by the recent Economic Conference, namely the economic interdependence of modern states, and I think this Conference may fairly claim to have acted in the spirit of the Economic Conference's resolutions and of the declarations subsequently made at the Council and Assembly.

#### *Unification of Bills of exchange.*

A Committee of Legal Experts on Bills of Exchange met at Geneva from November 21st to November 26th.

The Economic Committee has for several years been studying the possibility of bringing into harmony the laws on bills of exchange of countries belonging to the continental group. There are at present insuperable obstacles to the unification of the existing laws on the subject, but the Economic Committee is nevertheless of opinion that if the continental laws could be brought into harmony this would constitute a great progress, and it would then be easier to establish harmony between the continental and Anglo-Saxon system.

The commercial experts consulted by the Economic Committee in December, 1926, indicated the practical difficulties encountered by business circles owing to divergencies in the various laws on bills of exchange. They also pointed out in what way they considered it might be possible to deal with the situation by international agreement.

The Committee of Legal Experts took these conclusions as a basis of discussion, drawing up, at its first meeting, a series of provisional conclusions which it will submit to the Economic Committee, as soon as they have become definitive. It was unable to deal with the question of cheques, but will make it the principal subject of discussion at a later meeting.

The experts were unanimously of the opinion that the summoning of an international conference should be proposed, in order to bring as nearly as possible into harmony the continental laws on bills of exchange and cheques, and that this should be attempted on somewhat different bases from those hitherto taken.

The meeting was attended by M. Percerou (French), Chairman, M. Von Flotow (German), M. Fischer (Swiss), M. Weiller (Italian), M. Janne (Belgian), M. Herman Otavsky (Czechoslovak), M. Sulkowski (Polish) and M. Vivot (Argentine).

#### *Meeting of the Financial Committee.*

The Financial Committee met at Geneva on November 29th and was still in session at the end of the month.

Its agenda included the question of a Greek Loan for the stabilisation of currency and settlement of refugees, an examination of the results of the enquiry undertaken at the request of the Council with a view to drawing up a plan for the financial reconstruction of Bulgaria with the aid of a foreign loan, the quarterly reports of the Greek Refugee Settlement Commission and the League Commissioner for Bulgarian Refugees, and the report of the Committee of Experts for the Suppression of the Offence of Counterfeiting Currency.

The meeting was attended by Sir Otto Niemeyer (British) chairman; M. Bianchini (Italian), replaced during the first few days by M. Armany; M. de Chalendar (French); M. Dubois (Swiss); M. Janssen (Belgian); M. Melchior (German); M. Ter Meulen (Netherlands); M. Pospisil (Czechoslovak); M. Jeremiah Smith (United States); Sir Henry Strakosch (South African); M. Jacob Wallenberg (Swedish), replacing M. Marcus Wallenberg; M. Yamaji (Japanese), replacing M. Tsushima.

This was the first time that Mr. Jeremiah Smith, who was appointed by the Council in September, sat as member of the Committee. He was formerly League Commissioner General for the financial reconstruction of Hungary.

An account of the proceedings will be published in the next number of the Monthly Summary.

### 3. — COMMUNICATIONS AND TRANSIT

#### *Road Traffic.*

The Permanent Road Traffic Committee held a short meeting at Geneva from November 23rd to November 26th.

The principal item on the agenda was the question of road signs in town and country. The Committee adopted a certain number of recommendations and hopes to be able shortly to submit to Governments detailed proposals with regard to all signs concerning the safety of the road which do not already figure in the Paris International Convention of 1926.

The Committee also considered the question of the signals from traffic police to drivers, and *vice versa*, and between drivers.



The question of the speed-limit, raised by certain private associations, was examined. The Committee came to the conclusion that, for the moment, there was no need to make recommendations regarding the adoption of a general speed-limit.

The Committee decided to study the question of the licenses and taxes exacted from motorists making a short stay abroad for non-commercial purposes. This question had been raised by the International Association of recognised Automobile Clubs. The Secretariat was instructed to procure preliminary information on the laws in force in the various countries.

Other questions brought to the notice of the Committee, and reserved for examination at its next session were the extension to all countries of the *Triptyque* system, and the simplification of formalities in respect of its application raised at the International Motor Transport Congress recently held in London.

Pursuant to various information received, the Committee decided to place on its agenda the international problems resulting from the recent development of commercial motor traffic.

The meeting was attended by :

A. Stievenard (Chairman) (Belgium) M. F. Amunategui (Chile), M. H. Reinhardt (Austria), M. O. Bilfeldt, Head of Section at the Danish Ministry of Justice, M. Crespi, Vice-Chairman of the International Federation of Automobile Clubs, Chairman of the Milan Automobile Club (Italy), M. E. Delaquis, Head of the Police Division of the Federal Department of Justice and Police, Berne (Switzerland); Mr. P. C. Franklin of the Road Department of the Ministry of Transport (British Empire); M. D. Mellini, Chief Inspector of Railways, tramways and automobiles of the Kingdom of Italy; M. Pflug, Adviser in the German Ministry of Communications; M. G. F. Schonfeld, Administrator of the Communications Department (Netherlands), M. Walckenaer, Inspector-General of Mines in the Ministry of Public Works (France).

## VI. — Administrative Questions.

### TWELFTH SESSION OF THE PERMANENT MANDATES COMMISSION

The Permanent Mandates Commission met at Geneva from October 24th to November 11th with Marquis Theodoli in the chair <sup>(1)</sup>.

On the occasion of the examination of the reports on Iraq, British Cameroons and Togoland, Western Samoa, the Pacific Islands under Japanese Mandate and Ruanda Urundi, the Commission once more thanked the Mandatory Powers and their accredited representatives for the valuable assistance they had given. It expressed its special gratitude to the British Government for sending as representative its Under-Secretary of State for the Colonies and other high officials with first-hand experience of the situation in the territories under its mandate.

The agenda further included the examination of various general questions concerning, in particular, the national status of the inhabitants of territories under B. and C. mandate, statistics and financial information to be furnished by the Mandatory Powers, and economic equality.

The Commission resumed the discussion on the last mentioned point with which it had dealt at its preceding session, in view of a statement in Parliament by the Secretary of State for the Colonies that all material, machinery and tools purchased for Tanganyika from the proceeds of the East African Loan should, failing special authorisation, be bought in the British Empire. The Commission considered various questions of principle and practice, directly or indirectly raised by this sta-

(1) See *Monthly Summary*, Vol. VII, No. 10, page 281.

tement. In this connection it also considered the question of different postal rates for the mother country and its colonies and other States.

Another general question concerned general and special international Conventions applied in the mandated territories, on the subject of which lists had been drawn up by the Secretariat.

As regards the frontiers between the British and French Cameroons and between British and French Togoland, the Commission noted a statement by the accredited representative of the British Government that by common agreement no important modifications were considered necessary and that the work of delimitation was being pursued with the minor rectifications which such an operation implied.

The Commission codified in a single document the decisions relating to its procedure with regard to petitions. It considered petitions regarding Palestinian nationality from Arabs living in Honduras, Salvador and Mexico, a petition from members of the Rehoboth Community (South West Africa) and a petition concerning certain Adjjo Tribesmen (French Togoland). The conclusions reached with regard to these petitions and the observations of the Commission on the reports of the Mandatory Powers will be analysed in the next number of the *Monthly Summary*.

## VII. — Social and Humanitarian Questions.

### TRAFFIC IN WOMEN AND CHILDREN

The special Body of Experts enquiring into the traffic in women and children met at Geneva from November 15th to November 27th, when it considered the observations of Governments on the second part of its report <sup>(1)</sup> and made such amendments as were deemed necessary.

Thus modified, the report will be considered by the Council in December.

The meeting was attended by Colonel William Snow (chairman), Princess Cristina Bandini, M. Isidore Maus, M. de Meuron, Mr. S. W. Harris, Mme. Paulina Luisi, M. Le Luc and M. Sato.

## VIII. — Miscellaneous Questions.

### CONSTRUCTION OF AN ASSEMBLY HALL AND OF NEW BUILDINGS FOR THE SECRETARIAT

The Committee appointed by the eighth Assembly to study the nine first prize plans of the architects' competition, and to make a final choice of a design for the new League buildings met at Geneva on November 7th and 8th.

The members of the Committee, M. Adatci (Japan), chairman; M. Osusky (Czechoslovakia) and Sir Edward Hilton Young, were present, M. Urrutia (Colombia) and M. Bolitis (Greece) being unable to attend.—The Swiss and Genevese authorities, having been invited, in accordance with the instructions of the Assembly, to present their observations, sent their representatives, M. Dinichert and M. Boissonnas, to one of the meetings.

It was found necessary to procure certain additional technical information and the Committee postponed further examination of the question until December 19th.

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(1) See *Monthly Summary*, Vol. VII, No. 6, page 204.

### IX. — Forthcoming Events.

- December 15th : Meeting of the Economic Committee, Geneva.  
December 26th : Meeting of the Advisory Committee of the Singapore Bureau of the Health Organisation, Delhi.  
January 1st : Interchange of Medical Officers of Health, Delhi.  
January 18th : Meeting of Experts on the subject of an agreement between Directors of Museums, Geneva.

### X. — Publications of the League of Nations.

#### ANNUAL EPIDEMIOLOGICAL REPORT

The Health Section of the League Secretariat has just issued its fourth annual **Epidemiological Report**, tracing the fluctuations of epidemic diseases throughout the world during 1926.

The **Epidemiological Intelligence Service** of the Health Section, it will be remembered, publishes a weekly bulletin of current information gathered by wireless or cable. A monthly report gives a fuller record, which is circulated by post.— Finally, the annual reports, contain the revised returns received at the end of each year from the various national health services and carefully analysed for permanent record. The form of the report has now been changed so that, instead of giving the incidence of all diseases by countries, it takes each disease in turn and traces its prevalence and fluctuations all over the world during the period covered.

The general review gives an account supported by charts and statistics of the world-wide incidence in 1926, of plague, cholera, yellow fever, smallpox, typhus, relapsing fever, undulant fever, enteric fever, dysentery, malaria, influenza, acute poliomyelitis, encephalitis lethargica, cerebro-spinal meningitis, diphtheria, scarlet fever, measles and whooping cough. The record of cases and deaths due to cholera, plague and smallpox in maritime towns reporting to the Singapore Bureau is given, as well as deaths from a long series of infectious diseases in each country from which official reports are received. There are lists of notifiable diseases in each country, general and infant mortality rates, birth rates, deaths from specified causes in large towns, and special tables concerning the Anglo-Egyptian Soudan, Belgian Congo, the Union of South Africa, the United States and the Union of Soviet Socialist Republics, the population of the countries, data for which are included in the report and information on the mean temperature of air and rainfall.

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**PUBLICATIONS**  
OF THE  
**INTERNATIONAL HYDROGRAPHIC BUREAU - MONACO**

*Prices are quoted in U. S. dollars and do not include postage.*

	U. S. \$
<b>I. Reports of Proceedings of the International Hydrographic Conferences.</b> — 1 <sup>st</sup> Conference, LONDON, 1919. . . . .	2.50
— 2 <sup>nd</sup> Conference, MONACO, 1926. . . . . (in preparation)	
<b>II. Statutes of the International Hydrographic Bureau 1926</b> . . . . .	0.20
<b>III. Annual Reports of the International Hydrographic Bureau for the years 1921 to 1926.</b> . . . . .	0.20
<b>IV. Special Publications on technical subjects :</b>	
* 1. Echo Sounding, Dec. 1923. \$ 0.10.	
* 2. Report on Observations of Lights made in the United Kingdom, Mar. 1924. \$ 0.10.	
* 3. Echo Sounding, Oct. 1924. \$ 0.10.	
* 4. Echo Sounding, Mar. 1925. \$ 0.10.	
* 5. International Low Water, Mar. 1925. \$ 0.20.	
* 6. Summary of Data on Uniformity in Buoyage and Buoy Lighting, Aug. 1925. \$ 0.10.	
Illustrated Tabulation (3 sheets), \$ 0.60.	
6a. Further Summary of Data on Uniformity in Buoyage and Buoy Lighting, Oct. 1925. \$ 0.10.	
* 7. Report on the Observations of Visibility of Lights, Aug. 1925. \$ 0.10.	
* 8. Summary of Data on Uniformity in Storm Warning Signals, Dec. 1925. \$ 0.10.	
8a. Further Summary of Data on Uniformity in Storm Warning Signals, July 1926. \$ 0.10.	
* 9. Unification of Buoyage, Jan. 1926. \$ 0.10.	
* 10. International Low Water, Jan. 1926. \$ 0.20.	
11. Summary of Data on Wind Force and the Beaufort Scale, April 1926. \$ 0.10.	
12. Investigation of Harmonic Constants: Prediction of Tide and Current, and their description by means of these constants. May 1926. \$ 0.50.	
12a. Table of Harmonic Constants, \$ 0.50	
13. Tide Predicting Machines, July 1926. \$ 2.00.	
* 14. Echo Sounding, Aug. 1926. \$ 0.30.	
* 15. Summary of Data on Coastal Signals, with proposals for their unification, April 1926. \$ 0.20.	
Illustrated Tabulation (3 sheets), \$ 1.75.	
* 16. Summary of Data on Port Signals, July 1926. \$ 0.20.	
Illustrated Tabulation (10 sheets), \$ 2.00.	
* 17. Summary of Data on Safety of Life at Sea, January 1927. \$ 0.40.	
18. List of Life-saving Stations. \$ 0.30.	
* 19. Ocean Currents in relation to Oceanography, Marine Biology, Meteorology and Hydrography, March 1927. \$ 0.30.	

\* Reproduced in the **Hydrographic Review** which follows their issue.

<b>V. Hydrographic Review.</b> . . . . .	Each number \$ 2.00
(1) Vol. I. N° 1. Mar. 1923.	
(2) Vol. I. N° 2. May, 1924.	
(3) Vol. II. N° 1. Nov. 1924.	
(4) Vol. II. N° 2. May, 1925.	
(5) Vol. III. N° 1. Nov. 1925.	
(6) Vol. III. N° 2. July 1926.	
(7) Vol. IV. N° 1. May 1927.	
(8) Vol. IV. N° 2. (in press).	

These publications may be obtained from the Secretary General.

There are English and French Editions of all publications, with the exception of the **Report of Proceedings** of the Conference, London 1919, and the Tabulation of Storm Warning and Coastal Signals which are issued in English only. The edition required should be specified.

# MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

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## I. — The League of Nations 1926-1927 <sup>(1)</sup>.

### General Features.

The year 1927 was a period of intense activity and continuous work, affording striking evidence of the League's vitality. The principal meetings were the eighth ordinary session of the Assembly; the four sessions of the Council, as re-organised with its five permanent and nine non-permanent members; five international Conferences and innumerable meetings of committees and sub-committees. During the whole year not a week passed in which there was not a meeting of statesmen, high officials, experts or technicians summoned and organised by the League at Geneva, or in some other European city, in Latin America or in the Far East.

Forty-nine of the fifty-five States Members were represented at the Assembly; an average of forty took part in the work of the various Conferences. The Economic Conference included delegates from fifty different countries. Non-member States, such as the United States of America, the Union of Soviet Socialist Republics, Turkey, Egypt, Ecuador — and the Argentine Republic, whose position is not yet clearly defined — cooperated in the technical work of the League. Mexico was represented, for the first time, by an observer who attended the meetings of the Economic Conference. This growing interest of non-member States in the League's work is a proof of the universal character of its activity.

Another outstanding feature of the past year was the presence at Assembly and Council meetings of a considerable number of Foreign Ministers. The Council, as reconstituted in 1926, includes no less than eight Foreign Ministers. The eighth session of the Assembly was attended by two Chiefs of States, two Prime Ministers and more than twenty Foreign Ministers in the capacity of First Delegate of their respective countries.

These circumstances contributed to making the eighth session one of the most interesting and active the Assembly has ever held. The report of the Council on the work of the past year gave rise to a protracted discussion of questions affecting the vital interests of the League, such as the development of arbitration and security, the reduction of armaments, the codification of international law and the methods of work of the Council. Thirty delegates, including all the Foreign Ministers present, took part in the debate, which lasted six days.

\* \* \*

The main effort of the year bore on the improvement of international economic relations as an essential factor in the preservation of peace, and on the solution of the disarmament problem in connection with arbitration and security.

The idea of entrusting the League with a survey of the existing economic situation, its abuses and possible remedies, arose from the success of League methods in the financial reconstruction of Europe. The first Conference summoned by the League — the Brussels Financial Conference of 1920 — established the principles of a financial doctrine — since applied by many a Financial Minister, and by the authors of the Dawes scheme — which became the groundwork of the whole League action for the financial reconstruction of certain States, based on the issue of international loans totalling almost 1,700,000,000 gold francs.

### The Economic Conference.

The principal financial difficulties of Europe having to some extent disappeared, the Assembly decided in 1925 to investigate the economic difficulties which stood in the way of the revival of general prosperity and to ascertain the best means

(1) This article also forms the introduction to a pamphlet giving a general survey of the period from October 1st, 1926, to October 1st, 1927, which will be published in January.

of overcoming these difficulties and of preventing disputes. This resolution was the first step on the road to the Economic Conference, which met at Geneva three weeks — from May 4th to May 23rd, 1927. This Conference was the widest consultation ever organised, numbering as it did 194 members and 157 experts representing 50 countries and international organisations such as the International Labour Office, the International Institute of Agriculture in Rome, the International Chamber of Commerce and the International Cooperative Alliance. It was also the most representative, for its members included industrialists, merchants, bankers, economists agriculturists, officials specialising in commercial policy and representatives of workers and consumers of cooperative societies, etc.

The distinctive character of the Conference was that it was expert, but not academic. The delegates were selected by their Governments for their technical and personal qualifications; they were not spokesmen of any official policy, and their personal responsibility alone was engaged. Over a year had been spent in preparation by a committee which had collected in about sixty memoranda an enormous amount of materiel compiled with the aid of official and private organisations throughout the world.

Like its fore-runner, the Brussels Conference, the Economic Conference drew up unanimous conclusions and recommendations — on trade, industry and agriculture. Their aim is to remove the traditional obstacles to international trade and the various hindrances arising from the war, to organise industry on a more rational basis, to follow closely the development and effects of industrial cartels and agreements, and to promote the organisation of agricultural production. The object of the Conference was, in short, to evoke collective opinion on conditions, principles and guarantees which might serve as a starting-point for the improvements and progress necessary to restore greater freedom to international commerce.

The Conference should not be regarded as an isolated event, but as a stage in the continuous work of economic collaboration undertaken by the League. It entrusted the latter with numerous studies and enquiries, with the preparation of conferences, conventions, etc., and suggested that a special organisation should be set up to supervise the execution of its recommendations.

Both in the Council and the Assembly various Governments expressed their appreciation of these recommendations, many of them intimating that they would adopt the principles established and facilitate their application.

The Assembly constituted the special organisation. It consists of the Economic Committee, which will deal with economic relations between States and questions of international economic policy, and of a Consultative Committee which will supervise the execution of the Conference recommendations. The latter body will include representatives of trade, industry, agriculture and labour.

Thus, in the same way as the Brussels Conference laid the foundations of a rational financial policy, the Economic Conference drew up a programme for the organisation of economic relations, the execution of which it entrusted to the League.

The results as regards arbitration, security and disarmament were less decisive than those obtained in the economic field. The convocation of an international Conference for the reduction and limitation of armaments, as recommended by the 1925 Assembly, proved impossible. Nevertheless, the Commission preparing the Conference, composed of representatives of twenty-one Governments including the United States, brought the first stage of the preparatory work to a successful conclusion. It adopted on first reading a preliminary draft convention which it submitted to Governments for their observations.

Disarmament,  
Arbitration,  
Security.

On several points appreciable results were obtained by the examination of the possibility of reinforcing security within the framework of the Covenant and thus enabling armaments to be reduced. The Council defined its duties under Article XI, by which the League, in case of war or threat of war, is called upon to take any action that may be deemed wise and effectual to safeguard the peace

of nations While abstaining from interpreting or limiting the scope of this Article, it drew up a list of practical measures for the exercise of preventive action in the cases contemplated.

The lesson of the Graeco-Bulgarian frontier incident of 1925 had shewn that rapid action on the part of the Council and various League organs was an essential factor in dealing with such cases. The Council, accordingly, had a study made of such technical measures as would facilitate the rapid and effectual working of the League organs in case of emergency. The Transit Committee made a whole series of proposals with regard to communications by rail, air, wire and wireless, which were well received by Governments. The Assembly passed a resolution making it incumbent upon all League members to facilitate by all means in their power the prompt meeting of the Council at times of emergency.

The study of Article XVI led to the preparation of a scheme of financial aid for States victims of aggression.

**International Law.**

An important advance was made in the study of the codification of international law. The Committee of Experts finished the first part of its work, and the Assembly decided to summon the first Codification Conference in 1929.

Mention must also be made of the endeavours of the Technical Organisations to unify law and practice in the economic and financial field and in that of transit and communications. A Convention was concluded for the execution of foreign arbitral awards. Conventions and Agreements were prepared on the abolition of import and export prohibitions and restrictions, the unification of laws on bills of exchange and cheques, the treatment of foreign and national enterprises, the unification of statistics, the repression of the crime of counterfeiting currency, double taxation and tax evasion, private law on inland navigation, tonnage measurement in maritime navigation, buoyage and lighting of coasts.etc.

**The Permanent Court of International Justice.**

The numerous questions dealt with by the Court included the Lotus Case and that of the competence of the European Commission of the Danube. Germany and Guatemala acceded to the Court and signed the clause concerning compulsory jurisdiction. The signatories of the Statute now number 52, those of the Optional Clause 27.

**Political Questions.**

There were but few political questions in the strict sense of the word. Once only, at the request of the Roumanian and Hungarian Governments, the Council was called upon to act as mediator and organ of conciliation under Article XI of the Covenant. The German Government submitted a question concerning the alleged violation by Lithuania of the autonomy of the Memel Territory. The Greek Government asked for an official interpretation of the Articles of the Peace Treaty concerning the prohibition of the construction and export by Germany of warships and naval material. The British Government communicated, for the information of the Members of the League, a statement of its policy in China.

**Minorities.**

Only one minority question came before the Council — that of the minority schools in Polish Upper Silesia. Arrangements were made for a practical settlement.

**Administrative Questions.**

In the administrative field mention must be made of the efforts of the Saar Governing Commission to lessen the economic difficulties which the Territory had to face during the year; of the Council's settlement of the question of freedom of transport and transit on the Saar railroads, and of various questions concerning the Free City of Danzig. The Mandates Commission examined the annual reports of the Mandatory Powers, which included the first report of the British Government in Iraq and those of the French Government on Syria announcing the end of the rebellion in the Djebel Druse; it also dealt with petitions and general questions relating to the application and interpretation of mandates.



By their technical and humanitarian work, the League Organisations contributed in a large measure to the improvement of international relations and to the co-ordination of administrative work.

Technical  
Work.

The main efforts of the Economic and Financial Organisation were directed towards the execution and preparation of schemes of financial reconstruction for Danzig, Estonia, Greece and Bulgaria and the continuation of the refugee settlement work in Greece and Bulgaria. It also studied the unification of certain laws and practices (see above). The Danzig loan of 40 million gulden authorised by the Council ensures the liquidation of the floating debt and the payment of sums due in virtue of treaty obligations, and finances the construction of houses. In Estonia, a loan of £1,350,000 was issued as a basis for a currency law and the foundation of a mortgage institute. In Greece, a loan of £9,000,000 enabled that country to proceed with a scheme of financial stabilisation and reform and to terminate the refugee settlement work. The latter is now on a firm footing as far as the agricultural settlements are concerned. In Bulgaria, the settlement work began at the end of 1926. Satisfactory progress is being made in the allocation of land and the building of houses.

Financial  
Questions.

The Transit Organisation held its Third General Conference, which perfected the League methods of international coordination in regard to communications, drew up a series of recommendations on travelling facilities for persons without nationality and proposed the creation of a central office for the collection and distribution of information on communications and transit. This office would enable the Organisation to extend its activity to non-European countries, in particular to Latin-America.

Communica-  
tions  
and Transit.

For similar purposes the Health Organisation sent a mission to Latin-America to attend a meeting of experts on child welfare at Monte Video. In the course of this journey, schemes were drawn up for technical cooperation with the health service of several countries, which the Health Committee was subsequently asked to perfect.

Health.

The International Health Conference of the Pacific (Melbourne December 1926) proposed that the Health Organisation should study the health problems of the Pacific.

That Organisation further convened an International Rabies Conference, improved its Epidemiological Intelligence Service and interchanges of sanitary staff and opened international public health courses in Paris and London.

The organisation for Intellectual Cooperation (the International Committee, the National Committees and the Institute in Paris) made numerous and successful arrangements for the coordination of various national phases of scientific, artistic and literary activity. Special mention must be made of the creation of the International Museum Office and of the work of the Committee of Experts for the Instruction of Youth in the Existence and Aims of the League.

Intellectual  
Cooperation.

The first Conference of Press Experts organised and convened by the League dealt with a certain number of technical questions interesting the international press. Its resolutions aim at freedom and rapidity in the transmission of news, at the protection of news against unlawful appropriation and at securing for journalists the necessary professional facilities for their work.

Conference of  
Press Experts

The most interesting event in the humanitarian field was the conclusion of a convention for the establishment of an International Union for the Relief of Populations Smitten by Disaster.

International  
Relief Union.

The Union is constituted between States, but provides for close cooperation with private organisations, in particular with the Red Cross. At the Conference

which founded the Union the representative of the American Red Cross gave assurances of the desire of his organisation to keep in close touch with it.

The object of the Union, in addition to first aid, is to coordinate the work of relief organisations in cases of disaster, and, in general, to encourage the study of preventive measures and international mutual aid.

**Opium.** The Committee on Traffic in Opium and other dangerous drugs brought all its efforts to bear on the suppression of the illicit traffic, the continued existence of which is proved by the statistics communicated to the League. It recommended various measures, considering as most effectual the coming into force of the Geneva Opium Convention of 1925. The Commission of enquiry into opium production in Persia drew up a programme for the progressive reduction of the poppy crop in that country.

**Traffic in Women.** A special Body of Experts prepared a general report on the results of its enquiry into the extent of the traffic and possible means of coping with it. The report shews that a considerable traffic still exists, but that the competent authorities are in many cases reinforcing control on the lines proposed by the Commission for the protection and welfare of children and young people. The Traffic in Women Committee recommended a series of measures for combating the various forms of the traffic, including the application of conventions, the co-operation of the authorities, the material and moral protection of women employed abroad, and measures against foreign procurers and *souteneurs*.

**Child Welfare.** The Child Welfare Committee concentrated its efforts on certain problems a solution of which would be of practical interest to Governments, such as the protection and repatriation of minors; the rehabilitation of unmarried mothers; moral, mental and physical welfare of the child.

**Refugees.** The High Commissioner and the International Labour Office did all in their power to facilitate the establishment of Armenian and Russian refugees.

A programme of refugee settlement in Syria was drawn up and is being carried out. Several Latin American countries have offered to receive a certain number of refugees.

## II. — Summary of the Month.

DECEMBER 1927

### *Forty-eighth Session of the Council.*

The forty-eighth session of the Council was held at Geneva from December 5th. to December 12th., with M. TCHENG-LOH (China) in the Chair.

The most important question on the agenda was the request which the Lithuanian Government had addressed to the Council in virtue of Article XI of the Covenant.

The Council heard the representatives of Poland and Lithuania and requested the Netherlands representative to prepare a draft settlement in consultation with his colleagues and in agreement with the parties. A few days later, at a night sitting, the Council unanimously adopted a resolution putting an end to the "state of war" between Poland and Lithuania, affirming the political independence and territorial integrity of Lithuania, recommending the parties to negotiate promptly with a view to establishing friendly relations, and providing for League action in the event of a frontier incident or threat of an incident.

The request of the Greek Government concerning the *Salamis* formed the

object of a communication to the President of the Greco-German Mixed Arbitral Tribunal. The examination of the requests of the Hungarian and Roumanian Governments was adjourned.

With regard to a question concerning the minority schools in Upper Silesia the Council noted that the German Government had decided to ask the Court for an interpretation of the relevant provisions of the Upper Silesian Convention.

Two questions concerning Danzig were examined — the putting into operation of the Westerplatte and the access and anchorage of Polish warships. The Council recommended the parties to enter into direct negotiations for a final settlement of these matters.

The League work of the financial and economic reconstruction took the form of the conclusion of preliminary negotiations for the issue of a Greek loan, the discussion of a scheme of financial restoration for Bulgaria, the examination of a request concerning the economic and financial reconstruction of Portugal, and the constitution of a Consultative Committee, to follow the execution of the recommendations of the Economic Conference.

The work in the technical field also included decisions aiming at the development of relations between the Health Organisation and the health services of Latin America and the Far East.

In the humanitarian sphere, the Council authorised the publication of the Second Part of the Report of the Experts on traffic in women and children, drew the attention of Governments to certain means of combating the clandestine drug traffic, and took steps to ensure the working of the International Relief Union and the execution of the Convention on which it is based.

At this same session the Council finally adopted a report on methods or regulations enabling it to take prompt decisions to enforce the obligations of the Covenant, more particularly, Article XI. This report was drawn up last March by a Committee of the Council, approved by the Assembly and recommended to the Council as a guide which, without restricting its liberty to decide at any moment the best methods of ensuring peace, summarised the results of experience of the procedure hitherto followed, and of the studies so far carried out with a view to the best possible organisation of its action in case of emergency.

In addition to its fourteen regular members, the Council included representatives of Bulgaria, Greece, Hungary, Lithuania, Portugal and the Kingdom of the Serbs, Croats and Slovenes for the discussion of questions affecting their interests.

It was decided that the existing system of quarterly sessions should remain in force until next Assembly. The Council instructed the Secretary-General to report in March on the possible reduction of the number of its sessions and on other points connected with its general procedure.

#### *Fourth Session of the Preparatory Commission for the Disarmament Conference.*

The Preparatory Commission for the Disarmament Conference met at Geneva from November 30th. to December 3rd, the Union of Soviet Socialist Republics being represented for the first time. After a discussion on the progress of its work, in the course of which the First Delegate of the Union deposited a proposal for complete and universal disarmament, the Commission constituted the Committee on Arbitration and Security contemplated by the Eighth Assembly. It approved the programme and procedure of this new Committee and arranged for it to hold its next meeting on February 20th. The Preparatory Commission will meet on March 15th.

#### *The Economic Committee.*

The Economic Committee met in December to decide in what order the recommendations of the Economic Conference should be studied. It came to the con-

clusion that its foremost preoccupation must be the commercial policy advocated by the Conference.

### *The Permanent Court.*

The twelfth session of the Court came to an end on December 16th., when judgment was given on the request of the German Government for an interpretation of two previous judgments of the Court relating to the taking over by Poland of the Chorzow nitrate plant. On December 8th. the Court pronounced its advisory opinion on the jurisdiction of the European Commission of the Danube.

## III. — The Permanent Court of International Justice (1).

### 1. — COMPOSITION OF THE COURT

#### *a) President and Vice-President.*

In accordance with its Statute, the Court elects its President and Vice-President for three years and they may be re-elected.

The second election took place in 1924 for the period ending December 31st, 1927. It resulted in the appointment of M. Hubert (Switzerland) as President and of M. Weiss (France) as Vice-President.

The rules of the Court lay down that the election of the President and Vice-President "shall take place at the end of the ordinary session immediately before the normal termination of the period of office of the retiring President and Vice-President".

The ordinary session of the full Court for 1927 being about to terminate, the elections were held on December 6th. They resulted in the election of M. Anzilotti (Italy) as President and of M. Weiss (France) as Vice-President for the period 1928-1930.

#### *b) Chambers.*

The elections of members of the Chambers for labour cases and for transit and communications cases for the same period were held at the same time.

The following were elected :

##### *Chamber for Labour cases.*

M. Anzilotti (President), M. Huber, Lord Finlay, M. de Bustamante and M. Altamira.

##### *Substitutes :*

M. Nyholm and M. Moore.

##### *Chamber for transit and communications cases.*

M. Weiss (President), M. Nyholm, M. Moore, M. Oda and M. Pessoa.

##### *Substitutes :*

M. Anzilotti and M. Huber.

Lastly, the Court elected its *Chamber for summary procedure* for 1928; it will be composed of

M. Anzilotti (President), M. Huber and M. Loder.

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(1) This article has been compiled with the aid of information furnished by the Registrar of the Court.

*Substitutes :*

Lord Finlay and M. Altamira.

## 2. — JURISDICTION OF THE EUROPEAN COMMISSION OF THE DANUBE

On December 8th, the Court delivered at a public sitting its opinion upon the questions concerning the jurisdiction of the European Commission of the Danube in regard to which the Council of the League had requested its advice, by its Resolution of December 9th, 1926 (1).

The Court replied :

(1) (a) that under the law at present in force the European Commission of the Danube has the same powers on the maritime sector of the Danube from Galatz to Braila as on the sector below Galatz;

(b) that these powers extend up to the port of Braila, this port being included;

(2) (a) that the powers of the European Commission of the Danube extend over the whole of the maritime Danube, and are not excluded from zones territorially defined and corresponding to harbour zones;

(b) that the dividing line between the respective competences of the European Commission of the Danube and of the Roumanian authorities in the ports of Galatz and Braila is to be fixed according to the criteria.

(i) of navigation, in the sense of the movement of ships as part of their voyage, the European Commission of the Danube being also competent in regard to navigation in ports, whether the ships are passing through or coming to or leaving their moorings, as far as navigation so understood is concerned; and

(ii) of the obligation to ensure freedom of navigation and equal treatment of all flags, the European Commission of the Danube being competent, also as concerns the ports, to exercise the supervision inherent in this obligation;

(3) that it is not necessary to give an answer to the question put under No. 3

The statement of the reasons on which this answer is based contains in the first place, an historical outline of the origin of the question and of the proceedings which, prior to the request for an advisory opinion, had taken place before the competent organs of the League. This part of the Opinion brings out, on the one hand, the fact that Roumania, having never recognised the competence of the League to settle her dispute with the European Commission of the Danube regarding the questions under consideration, has only agreed to allow the Council to ask the Court's Opinion in consideration of the non-binding character of Advisory Opinions; and, on the other hand, that the other Powers represented on the European Commission have reserved the right subsequently to bring an action before the Court in order, if necessary, to obtain a decision enforceable against Roumania.

\* \* \*

Approaching next the first of the questions submitted to it through the Council, the Court first proceeds to ascertain what is the " law in force " which it has been asked to apply. It comes to the conclusion that the main source of this law is to be found in the Definitive Statute of the Danube drawn up in 1921 by a Conference assembled in pursuance of the relevant clauses of the Treaty of Versailles; this Statute having, like the Treaty, been signed and ratified by all the Governments interested in the questions submitted to the Court, these States cannot, as between themselves, regard the provisions of the Statute as otherwise than possessing full validity.

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(1) See *Monthly Summary*, Vol. VII, No. 10, p. 266.

After analysing the relevant provisions of this instrument, the Court concludes that its aim is, by means of two Commissions, of which one is the European Commission and the other known as the International Commission, to secure the internationalisation of the whole course of the Danube, uninterruptedly from Ulm to the Black Sea. Whilst the authority of the International Commission extends over the part of the river between Ulm and Braila, and cannot be tacitly extended to other parts of the river, that of the European Commission reaches from the mouths of the Danube in the Black Sea to Braila.

In this sector the powers of the European Commission are, according to the Statute, to be exercised "under the same conditions as before". In the Court's opinion, this expression leaves it open to show that the jurisdiction of the European Commission is not exercised in the same way everywhere between Braila and the sea and, in particular, has the effect of reserving the possibility that some of the powers undeniably possessed by the Commission between the sea and Galatz do not extend as far as Braila; if there are powers of the Commission the territorial extent of which is more restricted than the territorial extent of other powers, the existing limits are, in the Court's view, to be maintained. The Court considers that the question is to ascertain what were the conditions *in fact* prevailing before the war in the disputed sector, since these conditions are maintained and confirmed by the Statute.

This interpretation of the relevant clauses enables the Court, amongst other things, to leave aside the much debated question of the present legal value of the Treaty concluded in London in 1883 between the "Powers" (apart from Roumania) and by which the powers of the European Commission were expressly extended from Galatz to Braila. In effect, regarding the matter—as the Court does—exclusively from the standpoint of facts, this question becomes irrelevant.

Having thus established as the basis of its Opinion the interpretation of the Statute of the Danube which it holds to be correct, the Court considers the respective contentions of the interested Governments as regards the meaning of the applicable provisions. In this connection it observes that France, Great Britain and Italy all support one view, to which is opposed another maintained by Roumania. According to the three Powers, all the powers of the European Commission apply in the same way between Galatz and Braila as they do below Galatz; according to Roumania, on the other hand, a distinction is to be drawn between what she describes as "technical powers" and "jurisdictional powers", the Commission being entitled to exercise both kinds below Galatz, but only the former between Galatz and Braila. The Court does not deal at length with the contention of the three Powers, which in result coincides with the conclusions at which it itself has arrived. But it considers successively the main arguments advanced by Roumania in support of her view. These arguments relate respectively to the genesis of the relevant clause of the Statute of the Danube and to certain texts which, the Roumanian Government holds, constitute an authoritative interpretation of that clause.

As regards the first point, the Court observes that it has always maintained that preparatory work should not be used to change the plain meaning of a text. And it considers that it is impossible to construe the expression "under the same conditions as before" as meaning that the European Commission possesses only "technical powers" between Galatz and Braila; in themselves the words clearly refer to the conditions previously existing, whatever they may have been, and not to a single and specific condition. Moreover, in the Court's view, the records of the preparation of the Statute furnish nothing calculated to overrule the natural construction of the words in question.

As regards the second point, the Court shows that the first of the documents cited by Roumania (the so-called "interpretative protocol") cannot be regarded as an authoritative interpretation of the Statute, because, whilst it is true that it is a document signed by the delegates on the European Commission and annexed to the minutes of a meeting of the Conference which drew up the Statute, it is also

true that it is not an international agreement between the parties to the Statute, and furthermore that the Commission has no power to abandon functions with which it has been entrusted by Treaty. As regards the second of the documents cited, it is a proposal drawn up by the European Commission and submitted by it to the Roumanian Government, but subject to certain conditions which that Government did not accept. No agreement, therefore, was reached.

The Court therefore arrives at the conclusion that the arguments advanced by Roumanja do not override the construction placed upon the Statute by the Court.

Roumania, however, has also contended that this construction is inadmissible because it might involve consequences contrary to the principle of sovereignty. She has argued in fact that the extension of the powers of the European Commission above Galatz would constitute a violation of her sovereign rights.

The Court, however, demonstrates that this is not so. Roumania has accepted the Statute of the Danube. If, therefore, the Statute confirms the pre-war situation, and if it is found that the situation included the exercise of the same powers between Galatz and Braila as below Galatz, Roumania has now accepted that state of affairs. And a restriction upon the exercise of sovereign rights, which a State has accepted by treaty, cannot, the Court holds, be regarded as an infringement of sovereignty.

The Court finally observes that under the construction of the Statute adopted by it, it does not matter whether the exercise by the European Commission of certain powers before the war in the disputed sector was based on legal rights or as contended by Roumania — on mere toleration.

\* \* \*

The Court next considers the main question as to whether the European Commission in fact exercised the same powers before the war from Galatz to Braila as it exercised below Galatz. In the first place it endeavours to ascertain from a consideration of the relevant texts whether the distinction drawn by Roumania between " technical powers " and " juridical powers " has any foundation in the texts defining the powers of the European Commission.

The analysis of the development of the law which applies to international rivers from 1815, and more particularly to the Danube, from the Treaty of Paris of 1856 onwards, leads to the definitive conclusion that, far from supporting the Roumanian contention, the relevant international acts are fatal to any such view. Indeed, the drawing up and the application by an International Commission — which was in fact the European Commission — of regulations which implied the exercise of " juridical powers " as an essential constituent of the exercise of the " technical powers " which were indispensable in order to place and keep the internationalised Danube in a state fit for navigation, was, in the opinion of the Court, contemplated from the very outset.

But the Court, in view of the line of argument which it has followed, must see whether a situation of fact has not possibly developed superseding this legal situation. Since the exercise by the European Commission both of its powers termed technical and those termed juridical is undisputed below Galatz, the Court draws a comparison between these powers on the one hand and those the Commission was able to exercise between Galatz and Braila. In doing this it relies at the same time upon the facts as given by the Special Commission of the League as regards judicial decisions taken by the Commission, evidence which for the purpose of the present advisory procedure the Court considers it should accept—and upon the provisions of the regulations which were issued by the European Commission—upon which, since 1878, Roumania was represented—and which were applied immediately before the war. According to the Court, the situation of fact indeed results not only from decisions taken by the Commission in relation to particular

cases, but also from regulations containing clauses which apply to the disputed sector and thus constitute an exercise of powers over that sector.

The result to which this careful investigations leads is a complete confirmation of the statement of the Special Commission to the effect that "in actual practice the European Commission exercised powers of jurisdiction in the Galatz—Braila sector before the war".

The Court therefore reaches the conclusion that the powers which the Commission possesses between Galatz and Braila and below Galatz practically cover the same ground; an identical state of things prevailed on the whole of the maritime Danube. It follows, having regard to the meaning of the Statute of the Danube, that "under the law at present in force" the Commission has the same powers on the two sectors of the maritime Danube.

What is the exact upstream limit of these powers? In the opinion of the Court, an analysis of this question involves ascertaining whether Braila is or is not included in that part of the Danube which is known as the Maritime Danube, and whether, consequently, it comes within the jurisdiction of the European Commission.

To this question the Court gives an affirmative answer mainly based upon a consideration drawn from the fact that Braila is indisputedly, from a commercial point of view, a port of the Maritime Danube at which sea-going vessels call. The Court finds this answer confirmed by certain facts which it borrows either from the observations of the Special Commission or from the provisions of the regulations in force. Moreover, it relies on certain indications of a similar character which it draws from the surrounding historical circumstances and from the decisions of the International Commission which only claims jurisdiction as far as the upstream limit of Braila.

The Court concludes that the upstream limit of the jurisdiction of the European Commission of the Danube must be a line traced immediately above the port of Braila, leaving this port within the sphere over which the powers of this Commission are exercised.

The Court deals, lastly,—since its reply to question No. 1 makes an answer to No. 3 superfluous—with question No. 2, which refers to the nature of the powers of the European Commission in relation to the ports of Galatz and Braila.

In this respect the Court observes, that, according to the very terms in which the question has been put, the Roumanian authorities possess some powers in relation to the ports in question and that those powers were maintained by the Statute of the Danube. The question therefore resolves itself into determining the limits between the powers of these authorities and those of the European Commission.

The Court in this connection considers the different methods for territorial delimitation which were suggested either by Roumania, or otherwise, but is compelled to reject them all as not having any foundation in the texts or as being contrary to the *de facto* situation, or even to the specific terms of the Statute of the Danube. There is thus only a line of demarcation of a non-territorial character which is to be considered.

The Court observes that Roumania, who is the territorial sovereign, exercises her powers over the maritime Danube wherever that is not incompatible with the powers possessed by the European Commission under the Statute.

This instrument does not directly furnish a criterion for drawing a line of demarcation between the two jurisdictions. But in proclaiming the principles of free navigation and equal treatment of all flags, it nevertheless gives the solution. "Navigation" in this case essentially includes any movement of vessels with the object of carrying out a voyage. Now, according to the regulations of the Danube, the voyage of a vessel does not end until the moment when it takes its moorings in a port. The freedom of navigation is incomplete unless vessels can effectively reach these ports. The jurisdiction of the European Commission of the Danube therefore extends to vessels entering, leaving or traversing the port.



But that is not enough. The conception of navigation includes besides the contact established with the economic organisation of the country to which the vessel goes. That would lead to the inference that the jurisdiction of the European Commission should extend to the policing of the ports which would nevertheless be contrary to the facts observed by the Special Commission according to whom the Roumanian authorities had policed the ports as regards vessels moored in them. But this *de facto* situation cannot affect the principle of equal treatment of all flags which it is the duty of the European Commission to ensure on the maritime Danube. This Commission therefore must necessarily possess the power of intervening in cases where this principle has been violated.

To put the matter shortly, whereas, according to the Court, the power of issuing regulations and of exercising jurisdiction in the ports of Galatz and Braila belongs to the territorial authorities, the right of supervision in order to ensure free navigation and equal treatment of all flags in those ports belongs to the European Commission.

The Court, however, takes care to add that it could not define or develop these criteria and that a satisfactory delimitation between the respective jurisdictions could only be effected on the basis of a special regulation of the matter in which the particular and often varying circumstances would be taken into account.

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The text of the Opinion was transmitted to the Secretary-General of the League for communication to the Council.

### 3. — THE CHORZOW CASE

On December 16th, the Permanent Court held a public sitting in the course of which was read its Judgment upon Germany's request for an interpretation of certain earlier Judgments given by the Court in the matter concerning the taking over by Poland of the Nitrate Factory at Chorzow in that part of Upper Silesia ceded by Germany to Poland after the war.

The case concerns a phase in the dispute between Germany and Poland regarding the nitrate factory of Chorzow in Polish Upper Silesia. This important factory has been created during the war by the German Government—Chorzow being then in Germany—which, in December, 1919, had ceded it to a German Company, the Oberschlesische Stickstoffwerke A. G. in July, 1922, the Polish Government took possession of the factory and caused it to be transferred to its name in the land registers. Germany then brought the question of the lawfulness of this action on the part of the Polish Government before the Court. The Court, after having by a first judgment dated August 25th, 1925, overruled a plea to the jurisdiction filed by Poland, declared in its Judgment on the merits, rendered on May 25th, 1926, that the attitude of the Polish Government towards the Oberschlesische Stickstoffwerke was not in conformity with the provisions of the Germano-Polish convention laying down the conditions of the cession of Upper Silesia. Negotiations between the two Governments concerned followed in regard to the restitution of the factory to the Oberschlesische Stickstoffwerke or the payment of pecuniary compensation to that company. These negotiations having failed, the German Government again appealed to the Court and submitted a claim for indemnity on behalf of the Oberschlesische Stickstoffwerke. The Court, in a first Judgment, delivered on July 26th, 1927, overruled the plea to the jurisdiction filed by Poland and reserved the case for Judgment on the merits. The written proceedings on the merits were to be concluded on February 29th, 1928. On September 16th, 1927, however, notice was served upon the Oberschlesische Stickstoffwerke of an action brought against it by the Polish Treasury before the competent Polish court and

seeking a declaratory judgment to the effect that that Company had never become of the factory; that, consequently, the entry of its name as owner in the land register was null and void; and that ownership of the factory, belonged to the Polish Treasury.

In these circumstances, the German Government considered that the steps then taken by Poland were calculated to prejudge the case pending before the Court, concerning the indemnities, if any, to be paid by that Government for the taking over of the factory, submitted to the Court a request for an interpretation of the Judgments given by it on May 25th, 1926, (No. 7) and July 26th, 1927 (No. 8).

In Judgment No. 7 occurred a sentence to the effect that if Poland wished to dispute the validity of the entry of the Oberschlesische Stickstoffwerke as owners in the land register, that entry could "in any case only be annulled in pursuance of a decision given by the competent tribunal". In the action of which notice was served upon the Oberschlesische Stickstoffwerke on September 16th 1927, the Polish Treasury relied on this passage.

On the basis of the foregoing facts, the German Government argued that the Polish Government relied on the following contentions : firstly, that Judgment No. 7 had reserved to that Government the possibility of disputing in the Polish Courts the right of ownership of the company concerned; secondly that the action in question would be "of international importance" in connection with the suit pending before the Court concerning the claim for indemnity made on behalf of that company. The German Government asked the Court to declare that these contentions were not in accordance with the true construction of its Judgments Nos. 7 and 8. The Polish Government submitted that effect should not be given to the request of the German Government.

In its Judgment of December 16th, the Court first of all records that the request has been made under Article 60 of the Statute according to which "in the event of dispute as to the meaning or scope of the judgment, the Court shall construe it upon the request of any party". It then observes that though the parties are agreed as to what is to be understood by the expression "to construe", the Polish Government denies the existence of a dispute between the parties as to the meaning and scope of the Judgments referred to by Germany.

The Court explains that, in its opinion, the expression "to construe" in Article 60 or the Statute, is to be understood as meaning to give a precise definition of the meaning and scope which it (the Court) intended to give to the Judgment which it is asked to construe; that, in the same Article, the term "dispute" does not imply that there must have been previous diplomatic negotiations, but that it is sufficient that the two parties should in fact have manifested opposite views in regard to the meaning or scope of the Judgment; lastly, that, according to the same Article 60, this difference of opinion must relate either to a point which has been decided with binding force in the Judgment, or to the question whether some particular point has or has not been so decided.

Considering the facts in the light of these criteria, the Court comes to the conclusion that the matter before it is indeed a dispute as to the meaning and scope of Judgment No. 7, within the meaning of Article 60 of the Statute. On the other hand, as regards Judgment No. 8, the Court considers that its meaning and scope are not directly affected by the German submissions.

The Court, therefore, can proceed to consider what it describes as the merits of the suit, that is to say, the question raised by the submissions of the German Government. In so doing it states that it does regard itself as bound merely to reply yes or no to these submissions; it regards them as simply the "indication of the precise point or points in dispute" required by the Rules of Court in proceedings for interpretation, which indication would otherwise be lacking in the German Application. In this case, the Court finds that the disputed point relates to the passage in Judgment No. 7, relied on in the Polish Government's claim of September 16th (referred to above) of which passage therefore—considered in relation to the

Judgment as a whole—an interpretation is required from two aspects, namely, its meaning and its scope.

As regards the first of these aspects, the Court observes that though a literal reading of the passage in question may give the impression that the Court contemplated the possibility of the institution of proceedings by Poland before the municipal courts with a view to obtaining the annulment of the entry of the name of the Oberschlesische Stickstoffwerke in the land register, the passage cannot in any case be regarded as rendering conditional and provisional the operative part of the Judgment by which the Court declared the attitude of Poland towards the Oberschlesische Stickstoffwerke to have been contrary to her international obligations, by making the binding effect of that part of the Judgment dependent upon a subsequent decision of a Polish tribunal.

In regard to the second aspect, the Court shows that the passage in question occurs in a context which establishes the right of ownership of the Oberschlesische Stickstoffwerke to the factory, from the standpoint of municipal law. Since this right is a condition essential to the above mentioned decision of the Court, the context establishing it embodies one of the points decided by the Judgment and possessing binding force as between the parties in that particular case (Article 59 of the Statute).

The Court therefore arrives at the conclusion that in Judgment No. 7, it did not reserve to Poland the right of asking the Polish Courts, with application to the case decided by that Judgment, to annul the entry of the name of the Oberschlesische Stickstoffwerke in the land registers; on the contrary, it meant to recognise with binding effect in the case thus decided the right of ownership of the above mentioned company under municipal law.

In giving this interpretation of its Judgment No. 7 from the point of view of the questions raised by the German Application of October 17th, 1927, the Court is careful to say, firstly, that the interpretation thus given can only have binding force within the limits of what was decided in the Judgment construed, and secondly, that it refrains from any consideration of the effect which the Judgment construed might exercise upon submissions made by the parties in another case or otherwise brought to its knowledge.

#### 4. — JURISDICTION OF THE DANZIG TRIBUNALS (1)

On December 2nd, the Polish Minister at the Hague informed the Registrar that the Polish Government had designated M. Louis Ehrlich, Professor of Law at the University of Lwow, as Polish National Judge in this case (2).

The Polish Government and the Senate of the Free City of Danzig deposited within the time-limit fixed written information on the questions put to the Court, whereupon the Court informed them that it would be prepared to receive, before January 15th, 1928, counter-memoranda, should they desire to submit further written statements.

#### 5. — END OF TWELFTH ORDINARY SESSION

At the public sitting of December 16th, the twelfth (ordinary) session of the Court was declared closed. In the course of this session which opened on June 15th, 1927, the Court has delivered a considerable number of decisions, namely, four Judgments (Chorzow case—jurisdiction and interpretation—“Lotus” case, Mavrommatis case) and one Advisory Opinion (Danube case). It has further issued Orders

(1) Cf. *Monthly Summary*, Vol. VII, No. 9, p. 293; Vol. VII, No. 10, p. 271.

(2) Cf. *Monthly Summary*, Vol. VII, No. 9, p. 270.

in the dispute between Belgium and China concerning the abrogation by China of the Sino-Belgian Commercial Treaty of 1865 (which case, unless unforeseen circumstances arise, will be ready for hearing after May 15th, 1928), and upon the request Germany for the indication of measures of interim protection in the Chorzów case.

#### 6. — FORTHCOMING SESSION

The cases now pending before the Court are the disputes between Belgium and China referred to above and the dispute between Germany and Poland on the merits of the Chorzów matter; further, the request for an Advisory Opinion submitted to the Court by the Council of the League of Nations at its September session and concerning certain aspects of the jurisdiction of the Danzig Tribunals; finally, it became clear at the December session of the Council that Germany would request the Court to adjudicate upon the dispute between it and Poland concerning the minority schools in Polish Upper Silesia.

It is possible that other questions may shortly be brought before the Court, and, under these conditions the Court has been convoked, under Article 23 of the Statute, for an Extraordinary Session which is to open on February 6th.

### IV. — The Reduction of Armaments.

#### 1. — FOURTH SESSION OF THE PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE

The fourth session of the Preparatory Commission was held at Geneva from November 30th to December 3rd, with M. Loudon (Netherlands) in the Chair.

On the agenda figured (1) the examination of the resolutions of the Assembly and the Council on arbitration, security and disarmament; (2) the consideration of the progress of the work.

The Commission elected M. Politis (Greece) to succeed M. de Brouckère as Vice-Chairman.

At the first meeting the German representative, Count Bernstorff, explained that he had written to the Chairman asking that the agenda should provide for the possibility of a general discussion on disarmament. This, he thought, would meet the desire of the Assembly and afford new members of the Commission an opportunity of expressing their views.

To meet this demand, the Chairman reversed the order of the proceedings, beginning with the debate on the progress of the work. The delegation of the Union of Soviet Socialist Republics deposited a programme of disarmament.

The Commission then constituted the Committee on Arbitration and Security, contemplated by the Assembly. At its first session this body drew up its programme and agreed upon its methods of work.

*Progress of Work.* — The Chairman, having opened the debate on this subject, the first delegate of the Union of Soviet Socialist Republics, Mr Litvinoff, read a statement criticising the work of the League and setting forth the steps taken by the Union as regards disarmament. He then proposed, on behalf of his Government, the complete abolition of all land, marine, and air forces, and deposited a scheme for absolute and universal disarmament within a maximum period of four years.

He added that the Soviet delegation was ready to take part in any and every discussions on practical measures of disarmament and was prepared to sign the Convention prohibiting chemical and bacteriological warfare.

Several delegates replied.

The French representative, M. Paul Boncour, said that all members of the Preparatory Commission desired that the work should advance as rapidly as possible. He explained the object and value of the work done by the League on the basis of Article 8 of the Covenant and expressed his opinion that any change of procedure at the present juncture would be a great mistake. Reduction of armaments was impossible without an international organisation for security, in the establishment of which he invited the Russian delegation to cooperate.

Count Bernstorff (Germany) recalled that he had taken part in the drafting of the Assembly resolution which made arbitration, security and disarmament interdependent, and considered that the Commission should work on that basis.

He proposed that as early a date as possible should be fixed for the second reading of the draft convention of last April, and that the scheme submitted by M. Litvinoff should also be discussed at that moment.

M. Benes saw that in the course of its eight years of existence the League had had many and prolonged discussions on identical or similar proposals. They had invariably been rejected as not constituting a practical basis in the present state of world affairs. He emphasised the importance of the League's work in this field since 1921, and supported Count Bernstorff's proposal.

M. Politis also supported the motion. He considered that, to persuade States to reduce their armaments, there must be an international organisation with a sufficient force at its disposal to maintain order and relieve its members of having to do so themselves. In his opinion, the line taken by the Commission was the only one likely to lead to practical results.

M. Lunatcharsky (U. S. S. R.) replied that the object of his delegation's criticism was not to prevent the success of the work. His Government believed that the real solution of the problem lay in absolute disarmament.

Finally, after an exchange of views between M. Litvinoff, M. Cantilo, Count Bernstorff and the Chairman, the Commission decided to pass to the second point on its agenda and to adjourn to its next session—at the second reading of the draft convention—the examination of M. Litvinoff's proposals, if maintained.

## 2. — FIRST SESSION OF THE COMMITTEE ON ARBITRATION AND SECURITY

### *Constitution and Programme of Work.*

The Preparatory Commission set up the Committee on Arbitration and Security on November 30th. It includes representatives of all States serving on the Preparatory Commission, with the exception of the United States, whose representative made known that his Government was unable to take part in the work of the new Committee for the same reasons as those stated last April. It had every intention and desire of continuing to participate in the work of the Preparatory Commission and would give careful consideration to any recommendations the Committee on Arbitration and Security might submit.

The representative of the Union of Soviet Socialist Republics said that he could not sit as a member on the Committee on Arbitration and Security. In view, however, of the interdependence established between that Committee and the Preparatory Commission, he would follow its work with the closest attention.

The Committee on Arbitration and Security held its first meeting on December 1st. It elected M. Benes (Czechoslovakia) as Chairman, and M. Unden (Sweden) and M. Urratia (Colombia) as Vice-chairman.

At its subsequent meetings the Committee adopted the proposals of its Bureau with regard to its programme and procedure. In the course of the discussion, pro-

minence was given to the necessarily practical character of its work. Its programme classifies the questions to be studied under two heads. (1) those concerning the promotion and coordination of arbitration and security agreements and (2) the systematic preparation of the machinery to be employed by the League organs with a view to enabling States members to perform their obligations under the Covenant.

The necessary material for these studies will be prepared by the Secretariat. The enquiries will be conducted by three rapporteurs, one on arbitration agreements (M. Holsti Finland), one on security agreements (M. Politis, Greece), and one on the articles of the Covenant (M. Rutgers, Netherlands). The work will be coordinated by the rapporteurs in collaboration with the Chairman.

The second session of the Committee on Arbitration and Security will open on February 20th, the fifth session of the Preparatory Commission on March 15th.

The latter date gave rise to a discussion in the Preparatory Commission concerning more particularly the interdependence of its work and that of the Committee on Arbitration and Security. Finally, the question of principle was waived and the date was agreed upon.

On this occasion the Chairman, in reply to a question of the German representative, said that if all went well, the Disarmament Conference would be able to meet before the end of 1928.

### **3. — METHODS OR REGULATIONS ENABLING THE COUNCIL TO TAKE AS EXPEDITIOUSLY AS POSSIBLE SUCH DECISIONS AS MAY BE NECESSARY TO ENFORCE THE OBLIGATIONS OF THE COVENANT**

On December 6th the Council considered the report approved by its Committee last March <sup>(1)</sup> on methods or regulations which would enable it to take as expeditiously as possible such decisions as might be necessary to enforce the obligations of the Covenant, in particular, Article 11.

On the proposal of M. Cornène (Roumania) it adopted this report as a valuable guide which, without restricting its liberty to decide at any moment the best methods to be adopted in case of any threat to peace, summarised the results of experience, of the procedure already followed and of the studies so far carried out with a view to the best possible organisation of its action in case of emergency.

This study originated with a proposal of the French delegation to the Preparatory Commission for the Disarmament Conference. It was referred to the Council, which had a report prepared by its Committee and forwarded to States Members. It was subsequently approved by the Assembly and recommended to the Council for adoption.

### **4. — PRESIDENCY OF THE COMMISSIONS OF INVESTIGATION**

The Council made the following appointments to the presidency of the Commissions of Investigation established by the Rules for the Application of the Right of Investigation of the Council.

Commission of Investigation in Germany : General Baratier.

Commission of Investigation in Austria : General Calcagno.

Commission of Investigation in Bulgaria : Colonel Schuurman.

Commission of Investigation in Hungary : General Clive.

The appointments are for one year and are subject to renewal.

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(1) See Annex.

## V. — Legal and Constitutional Questions.

### 1. — NUMBER OF SESSIONS OF THE COUNCIL

The question of a possible reduction of the number of its meetings was dealt with by the Council on December 7th and 9th. After an exchange of views between the British, Canadian, Chilean, Chinese, Colombian, French, German, Japanese and Netherlands representatives, it was decided that the present system should remain in force until next Assembly.

The Council requested the Secretary-General to prepare for its March session a report on this question and on other points of its procedure.

### 2. — THE PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW

On the report of the Italian representative, M. Scialoja, the Council invited the Committee of Experts for the Progressive Codification of International Law to examine, at its next session, the proposal of the Paraguayan Delegation to the Assembly for the preparation of a general and comprehensive plan of codification of international law.

The Assembly, last September, had pronounced itself in favour of a study of this question because it would facilitate the nomenclature and methodical classification of subjects with a view to their progressive codification as and when they reached a sufficient degree of maturity.

The Council requested the Secretary-General to have a study made of the question of the procedure of international conferences and of the procedure for the conclusion and drafting of treaties. The Secretariat will accordingly have to collect all available precedents, invite Governments to furnish information as to their own practice and, by means of such publicity as it may be possible to give the results of this enquiry, encourage research and discussion by individual specialists in the various countries.

## VI. — The Technical Organisations.

### 1. — THE HEALTH ORGANISATION

#### *Report of the Health Committee*

The Council noted the report of the Health Committee on the work of its recent session and, on the report of the Japanese representative, adopted a certain number of resolutions designed to give effect to its recommendations.

The Council requested the Secretary-General to consider, in consultation with the Governments concerned, a method of arranging for the schools and centres of study, which were to be established in the Argentine and Brazil, to be placed under the auspices of the League.

It approved the proposal to conduct an enquiry into health conditions in Papua, New Guinea, the New Hebrides, New Caledonia, the Solomon Islands, and the Fiji Islands, as requested by the Pacific Health Conference (Melbourne 1926) and the Australian Government.

It was decided to ask the states which had taken part in the first International Conference on sleeping-sickness, namely, Belgium, Spain, Great Britain, France,

Italy and Portugal, whether they would be prepared to send technical delegates to a second conference to study the final report of the Sleeping Sickness Commission.

The Council noted the opinion of the Committee that eucodal and dicodide were narcotics liable to produce injurious effects similar to those of the drugs specified in the Opium Convention of 1925, and should consequently be subject to its provisions. It requested the Secretary-General to forward this recommendation to the States signatory to the Convention.

The Cuban representative, M. de Aguero y Bethancourt, expressed the wish that the Committee might study means of extending its collaboration to the Health Administrations of Spanish speaking countries of North America.

## 2. — THE ECONOMIC AND FINANCIAL ORGANISATION (1)

### *Constitution of the Consultative Committee.*

The Consultative Committee set up at the Eight Session of the Assembly was definitely constituted by the Council on December 9th.

The composition of this Committee is modelled on that of the Preparatory Committee for the Economic Conference as regards the balance of the various interests represented. It includes qualified experts on industry, commerce, agriculture, finance, labour and questions affecting consumers.

It was first of all decided to appoint thirty-five members, but, in order to secure well-balanced representation for all elements in proportion to their importance in economic life, and likewise for the various countries, the Council raised this figure to forty-seven, including three members nominated by the International Labour Office.

In accordance with the recommendation of the Assembly, the Council decided that the Committee should further include five members nominated by the Economic Committee, two members nominated by the International Chamber of Commerce, one member nominated by the Financial Committee and one member nominated by the International Institute of Agriculture.

With regard to such bodies as the International Institute for the Scientific Organisation of Labour and the International Cooperative Alliance, which had expressed the desire to take part in the work of the Consultative Committee, the Council considered that it would be better to leave it to the Committee to decide how it would best profit by their cooperation.

The Consultative Committee will include nationals of the following countries : Australia, Austria, Belgium, Great Britain, Canada, Chile, China, Colombia, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, India, Italy, Japan, Luxembourg, the Netherlands, Poland, Portugal, Roumania, the Serb-Croat-Slovene Kingdom, Spain, Sweden, Switzerland, the United States and the Union of Soviet Socialist Republics. It will number among its members the Presidents of the International Institute of Agriculture and the International Chamber of Commerce.

As the American, Australian and Russian members had not yet been appointed, the Rapporteur was authorised to make the necessary nominations.

The Council, finally, constituted a preparatory body, composed of the Chairman, M. Theunis, and the Vice-Chairmen, M. Loucheur, M. Colijn, and Sir Atul Chatterjee. With the assistance of the Economic Section of the Secretariat, this body will make the necessary arrangements for the preparatory work of the consultative Committee and draw up the agenda of its first meeting.

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(1) For the agreement regarding Greco-Bulgarian Emigration, see Political Questions.



### *Meeting of the Committee*

The first meeting of the Economic Committee, as newly constituted, was held at Geneva from December 15th to December 21st. The principal object of this session was to decide in what order the recommendations of the Economic Conference should be studied.

*Election of the Bureau.* — The reorganisation of the Committee made it necessary for a Chairman to be appointed, who, by decision of the Council, will hold office for a year to ensure continuity in the direction of the work. M. Serruys (French) was elected Chairman, M. Trendelenburg (Germany), Vice-Chairman.

*Representation of the Economic Committee on the Consultative Committee.* — In accordance with the Council and Assembly resolutions, the Committee appointed Sir Sydney Chapman (British), M. Jahn (Norwegian), M. Schuller (Austrian), M. Serruys (French) and M. Trendelenburg (Germany) to serve on the Consultative Committee of the League Economic Organisation.

*Commercial Policy.* — The Committee was of opinion that its foremost preoccupation must be the commercial policy advocated by the Economic Conference, the new orientation towards a liberal and equitable regime of trade being, it considered, the outstanding result of that meeting. It accordingly brought all its efforts to bear upon a prompt and general application of the reforms contemplated by the Conference, whether by the individual action of Governments, by bilateral treaties or by the collective and simultaneous action of Governments under the auspices of the League.

As regards individual action, the Committee noted that, even before the Conference for the abolition of Import and Export Prohibitions and Restrictions, several Governments had of their own free-will put an end to prohibitions in force since the war. It was nevertheless of the opinion that it could not influence or promote such action except by repeatedly recommending a liberal policy.

In the matter of bilateral conventions, the Committee considered that it should aim, by enquiries and proposals, at directing Government action into the channel indicated by the Conference. It observed that, far from checking protectionist tendencies, the contractual methods in use since the war had in certain cases encouraged them.

The Committee accordingly decided to seek new methods of bringing about a gradual reduction of tariffs, ensuring their stability and encouraging the conclusion of bilateral conventions which would afford contracting States equal commercial opportunities and place their trade on a footing which would make it impossible to lay snares for other countries.

It emphasised that, until an international understanding had been reached on treaty-making, Governments should be guided, in treaty and tariff questions, by the principles underlying the resolutions of the Economic Conference and the studies and proposals which the Committee itself was preparing with a view to such an understanding.

• In the same connection, and on the recommendation of the Conference, the Committee undertook to codify most-favoured-nation treatment, which, it considered, should be both the basic principle and the normal outcome of all commercial negotiations. It voiced its conviction that resolute action in favour of commercial conventions based on the most-favoured-nation clause must result in the prompt re-establishment of regular currents of Trade.

The Committee also considered the question of the reduction of tariffs by multilateral agreement. It observed that collective tariff reduction of this kind would raise a series of very complicated questions. One of them, that of the influence

of such agreements on bilateral conventions, which affects all branches of economic policy, assumes here a particularly acute form. The Committee nevertheless did not see its way to await the further development of investigations of an extremely complicated and delicate character before considering means of collective action at the disposal of States for the simultaneous and concerted reduction of such tariff barriers as seemed excessive. It noted that certain countries considered that the work undertaken by the recent Conference on the abolition of Import and Export Prohibitions and Restrictions made it incumbent upon those benefiting by the return to a liberal regime in regard to raw or semi-manufactured products to take similar action in reducing duties on finished wares.

For all these questions the Committee appointed rapporteurs. Their work will be discussed at the next session, when decisions will be taken for submission to the Council.

*Unification of Customs Nomenclature.* — The Economic Committee took note of the report of the Committee of Experts on Tariff Nomenclature. This body had been requested to draw up the framework of a preliminary nomenclature to include the categories and principal headings of agricultural and industrial production.

While abstaining from an immediate judgement as to the intrinsic value of the work, whose range and technical character it appreciated, the Committee decided that each of its members should collect in his own country such information and advice as might make it possible to form an accurate opinion at next session. It instructed the Secretariat to bring the draft nomenclature to the knowledge of all competent circles. A special point was made of the importance of dealing with questions connected with customs clearing regulations on a common basis, in order to avoid the application of divergent rules and to prevent the frustration of measures taken with a view to general classification.

The Committee moreover asked the experts, while the enquiries were proceeding, to submit for certain specially important categories a detailed nomenclature which might serve as a model for the final form of the general nomenclature for all classes of goods.

*Treatment of Foreign Nationals and Enterprises.* — The Economic Conference had drawn attention to the fact that freedom of trade would remain a dead letter so long as restrictions were maintained in regard to the establishment and operations of foreign nationals and enterprises. The Committee took note of a draft convention on the subject prepared by one of its members in conjunction with the International Chamber of Commerce.

Without touching on the question, hitherto reserved of the *admission* of foreign nationals and companies, the draft convention does not confine itself to conditions of establishment of foreign nationals and enterprises already admitted to a country; it provides guarantees for the trade of nationals of the Contracting Parties who are not already established in foreign territory, but are nevertheless desirous of doing business or investing capital in that territory, directly, through agents, or by correspondence.

The Committee approved the general framework and principles of the draft, while reserving its right to discuss the various articles at its next meeting.

*Abolition of Import and Export Prohibitions and Restrictions.* — The Council had instructed the Committee to study two questions raised by the Conference for the Abolition of Import and Export Prohibitions and Restrictions.

The first concerned the most efficacious means of obtaining the withdrawal of prohibitions on the hide, skin and bone export in force in certain States, in order to prevent *ad hoc* reservations from being submitted in July 1928 <sup>(1)</sup>, in virtue of Article 6

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(1) See *Monthly Summary*, Vol. VII, No. 11, p. 331.

of the Convention of November 8th, 1927. The Committee came to the conclusion that most countries, and more particularly those whose accession is the most important, were prepared to abolish export prohibition on hides, skins and bones. It realised, however, that, if this prohibition were abolished by general agreement, two kindred questions would arise, one concerning the export duties already existing in certain countries or which other countries might substitute for the prohibition, the second relating to the claim of certain States that a return to liberty of commerce as regards raw materials must affect the tariff for articles manufactured with such materials.

The Committee proposed to convene next March a conference of the Governments concerned, in order if not to conclude a final agreement, at all events to prepare a general solution which might be endorsed by the Conference of July, 1928.

The second question was that of an enquiry into the best means of reconciling the interests of countries wishing to take preventive measures against diseases of animals and plants with those of countries exporting those products. The Committee considered that, before contemplating international action, it would be well to determine its prospects and possible scope, and to entrust the preparatory work to a small body of experts.

*Exploitation of the Products of the Sea.* — The Assembly had asked the Economic Committee to consider whether, in what terms, for what species and in what areas the international protection of marine fauna could be organised. The Committee instructed four of its members to undertake preliminary researches in conjunction with the International Council for the Exploitation of the Seas at Copenhagen. This will enable the Committee to decide at its next session what practical action can be taken.

*Laws on Bills of Exchange.* — The Committee noted the work of the experts on unification of bills of exchange and cheques. It approved the line taken by the experts in proposing that certain fundamental principles should be established, and applied to a revision of the various laws rather than to the preparation of uniform regulations with a large number of clauses, which it would be very difficult for the different Parliaments to accept as a whole.

The work of the experts was considered as adequate preparation for an international Conference to be convened in the near future.

*Protection of Scientific Property.* — The Committee on Intellectual Cooperation having sought the advice of the Economic Committee as to the economic aspect of this question, a member of the latter was delegated to follow the work of the former on this subject.

The Economic Committee noted the draft convention recently prepared by a sub-committee of experts at the Institute of Intellectual Cooperation.

*Statistics.* — a) *Conference of Statisticians.* — The Council had agreed last March that a conference of official statisticians should be summoned to discuss the adoption of uniform methods in establishing economic statistics. The Economic Committee drew up a programme for submission to the Conference, which will be convened for November 1928.

\* The main subject of the programme is the range of economic statistics, that is, the field of economic activity which national statistics should normally cover. The question of the methods to be used in compiling industrial and commercial statistics, so as to render them comparable, will also be discussed.

The Committee appointed certain experts and four of its members to prepare the work of the Conference.

b) *Industrial Statistics.* — The Committee took up this question pursuant to a recommendation of the Economic Conference, inviting it to take all suitable

measures so that Governments, in collaboration with the chief industries, should arrive at international agreements as to the terms, methods and scope of industrial statistics.

The Committee accepted the offer of the President of the International Chamber of Commerce, M. Pirelli, to cooperate in carrying out this resolution so far as it coincided with the general programme of his organisation.

#### *Import and Export Prohibitions and Restrictions.*

The results of the Conference on Import and Export Prohibitions and Restrictions were considered by the Council on December 6th, when it heard a statement by the President of the Conference summarising the work done and emphasising the importance of the Convention for international trade.

On the proposal of the German representative the Council decided (1) to communicate the Convention, with a view to signature, to the Union of Soviet Socialist Republics, Costa Rica, Mexico and Ecuador, who were not represented at the Conference; (2) to ask the Economic Committee to study the possibility of an international agreement reconciling the necessity of protecting animals and plants against diseases with that of preventing such protection from giving rise to arbitrary measures which would unduly hinder international trade; (3) to entrust the Economic Committee with measures for the application of the recommendations of the Conference aiming at the simultaneous abolition of export prohibitions existing in certain countries with regard to hides, skins and bones.

The Council appointed the President of the first session, M. Colijn, to the chairmanship of the second session of the Conference, which is provided for in the Convention for the abolition of Import and Export Prohibitions and Restrictions.

#### *Foreign arbitral awards.*

On December 7th, the Council, on the proposal of M. Scialoja (Italy), requested the Secretary-General to draw the attention of all States to the value of the Protocol of September 24th, 1925, concerning arbitral awards. The Secretary-General will at the same time inform Governments of the conditions under which they may become contracting parties to these agreements.

#### *Work of Financial Reconstruction.*

a) *Bulgaria. — Settlement of Refugees.* — The fifth quarterly report of the League Commissioner for the settlement of Bulgarian refugees, dealing with the period from August 16th to November 15th, 1927, was considered at the December session of the Financial Committee and the Council.

As regards the financial position, there has been a distinct improvement during the past three months in the yield of the assigned revenues, which is not due merely to seasonal causes, but corresponds to an increase in the general receipts of the State.

The distribution of seed and cattle was resumed in autumn. Since the beginning of the settlement work, 2,399,662 kilogrammes of seed have been distributed to 8,066 families and 6,454 heads of cattle have been purchased and distributed to 4,554 families. The supply of material (carts, ploughs, fishing-gear, etc.) is continuing.

Building figures also show progress 1,212 houses, 1,026 sheds and 840 stables having been built, or being under contract to be built.

The allocation of land is progressing most satisfactorily. By November 1st, 594,767 decares had been surveyed, and 260,995 decares had been allotted to 7,552

families in average lots of 34,46 decares. It is expected that this work will be completed during the course of next year.

The report also deals with measures for the draining of marshes, the anti-malaria campaign and the construction of railways in the settlement district.

*Financial Position.* — On December 9th the Council noted the results of an enquiry conducted at Sofia by a delegation of the Financial Committee (Sir Otto Niemeyer, M. Alberte, M. de Chatendar, M. Janssen and M. Pospisil) into the financial position of Bulgaria.

In its report to the Council the Committee stated that considerable progress had been made, but there were certain questions which still required elucidation.

The Council accordingly endorsed a proposal of the Committee to continue its study in collaboration with the Bulgarian Government and to report at its next session.

b) *Greece. — Settlement of Refugees.* — The position as regard the settlement of refugees in Greece came before the Council in the form of the sixteenth quarterly report of the Greek Refugee Settlement Commission and a report from the Financial Committee. M. Caphandaris, Minister of Finance, represented Greece, and the Chairman of the Commission, Mr. Eddy, attended the meeting.

The Commission's report begins with a brief statement on the financial position and then gives details of the measures taken to indemnify urban and agricultural refugees from Turkey exchanged under the Lausanne Convention.

Further information concerns the land survey, new works and the census of the urban refugees, which gives a total of approximately 615,000.

The cereal, tobacco and maize crops have in general suffered serious damage and the Commission has set aside a sum of 33,000,000 drachmas to assist cultivators.

*Issue of a Stabilisation Loan.* — At the same meeting the Council noted that the Protocol signed by the Greek Government in September 1917 and the Convention between that Government and the National Bank regarding the creation of a new Bank of Issue had been ratified by the Greek Parliament and duly promulgated.

The British, French and Italian Governments have undertaken to give their representatives on the International Financial Commission the necessary instructions in order that that body may ensure the service of the stabilisation loan out of the available surplus revenues.

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The Council renewed for one year the appointment of Sir John Hope Simpson as vice-Chairman of the Greek Refugee Settlement Commission.

The conditions for the issue of the loan being thus satisfied, the Council noted with satisfaction that it was now possible to carry out the scheme of reconstruction approved in September and to begin negotiations for the issue of the loan.

c) *Hungary.* — On the proposal of the Financial Committee, the Council, on December 6th, authorised the use of the unexpended balance of the Hungarian Reconstruction Loan for capital investments under the budget for 1928-1929. On July 1st, 1928, this balance will be approximately 33.9 million gold crowns.

d) *Portugal.* — On December 5th the Council, including the Portuguese representative, M. Sinel de Cordes, Minister of Finance, considered a request from the Portuguese Government concerning the issue of a foreign loan under the auspices of the League to enable that Government "to carry out a complete scheme of financial reconstruction, currency stabilisation and economic development".

The Council instructed the Financial Committee to study the matter and submit a report at its next session.

*Counterfeit Currency.*

The report and draft convention prepared by the Mixed Committee on the Counterfeiting of Currency were noted by the Council on December 6th.

The Chairman of the Committee, M. Pospisil (Czechoslovakia) reviewed its work, analysing the results. He recalled that the Committee had undertaken among banks of issue an enquiry that had brought out the necessity for international regulations with a view to the suppression of the counterfeiting of currency and had furnished information of exceptional importance. For example, the thirty-one replies received by the Committee showed that, during the last three years, the false banknotes seized to nearly three million dollars and false metal coins to thirty five million dollars.

M. Pospisil requested that the report of the Committee should be forwarded to the banks of issue and that the attention of Governments should be drawn to the importance of immediately constituting the national offices contemplated in the Convention and of beginning the work of unification essential to the efficacy of the Convention.

On the proposal of the Finnish representative, M. Voionmaa, the Council instructed the Secretary-General to forward the report and draft convention to all States for their opinion and to convene a general conference in a year's time for the final adoption of a Convention.

It also asked the Secretary-General to bring to the notice of the Committee of Experts for the Progressive Codification of International Law the recommendations of the Mixed Committee with regard to the unification of regulations concerning extradition and letters rogatory.

### 3. — INTELLECTUAL COOPERATION

*Scientific property.*

The Committee of Experts preparing a draft convention on scientific property met in Paris, from December 12th to December 14th at the Institute of Intellectual Cooperation.

It considered a preliminary draft submitted by the Institute, affirming the principle of the right of the owner of any scientific discovery to receive payment from any industry deriving profit therefrom.

On the basis of this draft, the Committee drew up the text of an international convention, establishing the formula of scientific property rights and the manner in which these rights should be exercised. This text will be submitted to the Council.

There were present at the meeting, Senator Ruffini (Italian), M. Marcel Plaisant (French), M. Casares (Spanish), M. Knoph (Norwegian), M. Ostertag (Swiss)—all five members of the Sub-Committee of Intellectual Rights of the Committee on Intellectual Cooperation; Mr. B. K. Conner, M. Esnault-Pelterie, M. Gallie, M. Leo-Gerard, M. Ginoui-Conti, M. Guislain, M. Klotz, Sir Hugo Hirst, M. Maurette, M. Meinhardt, M. Serruys, M. Taillefer.

*Relations between the League and Institutes or Bodies set up under its authority.*

The question of the relations between the League and institutes or bodies set up under its authority was considered by the Council on December 5th, when, on the proposal of the Chinese representative, it instructed the Secretary-General to prepare a preliminary memorandum on the subject.

## VII. — Administrative Questions.

### 1. — DANZIG

Two questions concerning Danzig figured on the Council agenda as a result of resolutions adopted last September. In both cases the Council decided that a solution should be sought by direct negotiation between the Parties.

*Utilisation of the Westerplatte.* — On December 8th, the rapporteur, M. Villegas (Chile) laid before the Council the opinion of two jurists, whose assistance he had sought (1) in connection with the utilisation of the Westerplatte.

The President of the Senate of the Free City, Dr. Sahm, stated that he accepted the opinion. M. Strasburger (Poland) first suggested that the Council should seek the advice of the Permanent Court of International Justice, but, after, an exchange of views with the rapporteur, M. Stresemann, M. Briand and Sir Austen Chamberlain, finally agreed to a proposal for direct negotiation between the Parties.

Accordingly, on December 12th the Council invited the Danzig and Polish Governments to engage direct negotiations for the practical settlement of the questions pending. It recommended them to take into consideration all material contained in the documents on the subject, including the views expressed in the opinion of the jurists. The negotiations will be under the presidency of the League High Commissioner, who may seek expert advice. Should the negotiations fail, the rapporteur will submit proposals for a definite settlement at the next session of the Council.

*Port of Danzig : Access and anchorage of Polish Warships.* — As, owing to various circumstances, it had been impossible for the negotiations on this subject to take place as recommended (2), the Council, on December 8th, once more invited the Danzig and Polish Governments to enter into direct negotiations under the presidency of the High Commissioner and with the assistance of the Chairman of the Harbour Board.

Should no agreement have been reached four weeks before the opening of the next Council session, the Chairman of the Naval Sub-Committee of the Permanent Advisory Commission will be asked to appoint two experts who will proceed to Danzig, assist the High Commissioner and enable him to submit to the Council definite proposals as to the necessary technical regulations.

### 2. — MANDATES

#### *Liquor Traffic in Mandated Territories (3).*

On the proposal of the Netherlands representative, the Council on December 6th invited the Mandatory Powers which had not already replied on this question to inform it whether they would soon be able to indicate their acceptance of the definition adopted by the Mandates Commission of certain terms relating to the liquor traffic in territories under B and C Mandates (3). The rapporteur expressed the opinion that the unanimous acceptance by all the Mandatory Powers of these definitions might facilitate the application of the provisions of the Mandates and the Convention of Saint-Germain with regard to the liquor traffic.

(1) See *Monthly Summary*, Vol. VII, No. 9, p. 290.

(2) See *Monthly Summary*, Vol. VII, No. 9, p. 291, *Port d'Attache for Polish Warships at Danzig*.

(3) See *Monthly Summary*, Vol. VII, No. 9, p. 294.

The Council requested the Permanent Mandates Commission to continue, in collaboration with the Mandatory Powers, to give serious consideration to the causes of the increased importation of spirits into certain territories under B Mandate and to the means of remedying this situation.

## VIII. — Protection of Minorities

### MINORITIES IN UPPER SILESIA

The question of the admission of children to the German minority schools in Polish Upper Silesia was discussed by the Council on December 8th.

Its resolution of March, 1927, settled the question as then raised, which concerned requests for admission to the German minority schools for the school year 1926/1927. It introduced, in particular, a system of enquiry to ascertain whether a child's knowledge of the language of the minority schools was such as to enable it usefully to attend them.

In October, the Polish Government asked the Council rapporteur to decide whether this system was to apply to 735 children of the school year 1927/1928, who, in the opinion of the local authorities, did not understand German. This request was based on the following paragraph of the March resolution :

"A similar system of control might also be applied in the case of any fresh demands for the admission of children that may subsequently be received from persons legally responsible for their education when such cases appear doubtful to the Polish authorities."

After consulting the Italian and Netherlands representatives, with whose assistance he had drawn up the March arrangement, the rapporteur, M. Urrutia (Colombia) informed the Polish Government, that according to this paragraph, he considered that the arrangement might apply to the 735 children mentioned, but was not intended to be permanent. As a result of this decision examinations were begun.

The German Government then intervened. It asked the Council to make clear that its March resolution was not applicable to future demands for admission to the minority schools. The German representative had accepted this arrangement as an exceptional measure applicable only to an exceptional situation, and on the understanding that, if the question were again raised, he would have to press for a final decision on the legal point involved.

Accordingly, on December 8th, the German representative submitted that the time had come to clear up finally the legal questions of principle governing the admission of children to German minority schools. He added, that his Government intended to apply, under the Upper Silesian Convention, to the Permanent Court of International Justice for an interpretation of the provisions of that Convention in this respect.

The Council took note of this statement. It was agreed that the examinations for 1927/1928 should continue, and that the ruling of the Court should decide whether children, transferred to Polish schools as a result of the examination, should ultimately be admitted to the minority schools.

## IX. — Political Questions.

### 1. — REQUEST OF THE LITHUANIAN GOVERNMENT

On October 15th the Lithuanian Government appealed to the Council, under Article XI of the Covenant, concerning measures which the Polish Government



was alleged to have taken with regard to schools, teachers and clergy in the districts of Vilna and Grodno. It further stated that "it had acquired the certainty that the Polish Government was putting into operation a far-reaching scheme directed against the very existence of an independent Lithuania".

This appeal was followed by a series of letters and telegrams concerning more particularly the expulsion of eleven Polish nationals, including four priests, on Lithuanian territory.

At the request of the Lithuanian Government the matter was placed on the agenda of the Council, which heard the Parties on December 7th.

The Lithuanian representative, M. Voldemaras, recalling that it was one of the League's special duties to safeguard the independence of small nations, said that the absence of well-defined relations and questions pending since the war had created conditions in Eastern Europe which were hardly favourable to peace. His Government had made efforts to settle the question of its relations with Poland. During the past autumn, however, the political horizon had suddenly become overcast and a series of factors had arisen which had caused anxiety in Lithuania as to the possibility of Polish interference in her domestic affairs and of an attack upon her independence. He asked the Council to send a Commission of Control to the Polish-Lithuanian frontier and to order an enquiry into the persecution of Lithuanians.

The Polish representative, M. Zaleski, requested the Council to adhere to the established procedure in dealing with the complaints of the Lithuanian Government with regard to the treatment of minorities. In his opinion the Lithuanian representative had produced no proof of the charges which he had made against the Polish Government. Poland fostered no hostile design upon Lithuania's independence. She had, on the contrary, adhered strictly to a policy of peace and understanding, as a proof of which M. Zaleski enumerated various overtures for reconciliation. He pointed out that Lithuania had invariably responded by declarations affirming the existence of a state of war between the two countries. This attitude was, he thought hardly compatible with Lithuania's position as a member of the League and had a disastrous effect upon her own interests as well as upon those of her neighbours. The Polish Government, accordingly, drew the attention of the Council, under Article XI of the Covenant, to the dangers for the general peace entailed, in its opinion, by the Lithuanian Government's policy.

M. Zaleski concluded : "In the face of the whole world, conscious of her duties and responsibilities, Poland once again declares peace with Lithuania and solemnly extends to Lithuania the hand of friendship."

In his rejoinder, M. Voldemaras said that Lithuania was not fundamentally hostile to Poland, but that there was in his country a feeling of anxiety and uncertainty. The Lithuanians, more than anyone, felt the need of a friendly agreement with all countries. Moreover, the international engagements by which Poland and Lithuania were bound, rendered an armed conflict between their countries impossible. By the term "state of war" the Lithuanian Government understood the absence of normal relations between Poland and Lithuania.

M. Voldemaras concluded by saying that he appreciated at their true value the final words of M. Zaleski and was ready to follow any road that led to peace, without, however, renouncing the rights and claims of his country.

After hearing these statements, the Council appointed the Netherlands representative as rapporteur and made arrangements to obtain, during the proceedings, information on the situation in the Polish-Lithuanian frontier zone through a mission composed of the French, British and Italian military attachés in Warsaw and Kovno.

The negotiations between the rapporteur, his colleagues on the Council and the representatives of the Parties lasted three days. On the evening of December 10th, the rapporteur was able to submit a report and draft resolution which had already been approved by the Parties.

The President congratulated the rapporteur and the Parties on the agreement they had reached.

The Polish representative thanked the rapporteur, the members of the Council who had helped in the solution, and the Lithuanian representative, "for the spirit of courtesy and accommodation which he had shewn".

The Lithuanian representative thanked M. Zaleski for his courteous reference to himself, saying that a beginning had been made under auspicious circumstances and that he would do all in his power to secure the application of the Council's resolution.

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The resolution adopted abolishes the state of war between the two countries, affirms the political independence and territorial integrity of Lithuania, recommends the Polish and Lithuanian Governments to enter into direct negotiations in order to establish friendly relations, provides for League action in the event of an incident or threat of an incident, refers to a Committee the complaints of the Lithuanian Government with regard to the treatment of minorities and notes the Polish representative's assurances to the effect that the persons expelled will be allowed to return to Poland without hindrance. It does not touch upon the settlement of the various questions on which the two Governments have differences of opinion, in particular, the rights which the Lithuanian Government claims over the territory of Vilna.

The resolution reads as follows :

The Council of the League of Nations :

Declares that a state of war between two Members of the League is incompatible with the spirit and the letter of the Covenant by which Lithuania and Poland are bound;

Takes note of the solemn declarations made by the Lithuanian representative that Lithuania does not consider herself in a state of war with Poland and that in consequence peace exists between their respective countries;

Takes note of the solemn declarations of the Polish representative that the Polish Republic fully recognises and respects the political independence and territorial integrity of the Lithuanian Republic;

Recommends the two Governments to enter into direct negotiations as soon as possible in order to establish such relations between the two neighbouring States as will ensure "the good understanding between nations upon which peace depends";

Places at the disposal of the two parties the good offices of the League and of its technical organs should their assistance be desired in the negotiations which it recommends;

Decides that the Lithuanian Government's complaints regarding the treatment of persons of Lithuanian race or speech, referred to in its appeal, shall be examined by a Committee consisting of the Acting President of the Council and two other Members of the Council appointed by him. This Committee will report to the Council in due course;

Decides that, in the event of a frontier incident or threat of an incident, the Secretary-General of the League of Nations may, at the request of one of the parties, consult the Acting President of the Council and the Rapporteur, who shall then advise any steps they consider necessary to bring about a better state of feeling. The Council notes that both parties have agreed to facilitate any enquiry by the League of Nations;

Notes with satisfaction the Polish representative's declaration to the effect that the Polish nationals referred to in the Lithuanian Government's appeal will be authorised to return to Poland without hindrance. In case of unforeseen difficulties, the Rapporteur would place his good offices at the disposal of the parties with a view to removing those difficulties.

The Council declares that the present resolution in no way affects questions on which the two Governments have differences of opinion.

## 2. — REQUESTS OF THE ROUMANIAN AND HUNGARIAN GOVERNMENTS

In reply to the invitation addressed by the Council in September to the Roumanian and Hungarian Governments to conform to the principles set forth in the report submitted by the British representative on behalf of the Committee of Three <sup>(1)</sup>, the Hungarian Government informed the Secretary-General on November 21st that, after a further study of the text, it was still unable to accept it. It added that, to render agreement possible on another basis, it had recently submitted to the Roumanian Government a proposal for a practical solution of the affair.

The Hungarian Government subsequently forwarded a memorandum explaining why it was unable to accept the Council's recommendations. On November 23rd the Roumanian Government informed the Secretary-General that it accepted the report in its entirety, that is, as a whole, with its conclusions.

This question figured on the Council agenda for December. As, however, the Roumanian Foreign Minister, M. Titulesco, had fallen ill in the meantime, the Rapporteur, Sir Austen Chamberlain, wired in his own name advising him not to undertake the journey to Geneva in his present state of health and before his Government had been able fully to consider the proposal of the Hungarian Government for direct negotiations between the parties, without prejudice to their legal point of view, or to the decisions of the Council and of the Committee.

On December 5th, after an exchange of views between the Rapporteur, the Hungarian representative, Count Apponyi, and the Roumanian representative, M. Comnène, the Council addressed the following telegram to M. Titulesco, in confirmation of Sir Austen Chamberlain's :

Council decided this morning to adopt the telegram which the Rapporteur sent you to-day in his own name. The Council would be unwilling for you to undertake the journey in the present state of your health and pending the complete examination by your Government of the proposal for direct negotiations between the parties without prejudice to their legal position or to the procedure before the Committee of Three and the Council.

## 3. — THE SALAMIS

On the proposal of M. Urrutia (Colombia), the Council, on December 12th, adopted the report of the legal advisers of its members <sup>(2)</sup>.

It instructed the Secretary-General to write to the President of the Graeco-German Mixed Arbitral Tribunal in the sense indicated in paragraph 8 of the report, which reads :

In view of the importance of the principle that the Council should not take any action which could be misinterpreted as an encroachment on the sphere of an international tribunal which has been duly seized of a question, it would be courteous for the Council to address a communication to the Mixed Arbitral Tribunal informing the Tribunal that, if it should judge it to be desirable that an interpretation of Article 192 (and 190, if that article is considered relevant) should be obtained by way of an advisory opinion by the Permanent Court of International Justice and should address a communication to the Council to that effect, the Council would defer to such a desire.

## 4. — AGREEMENT CONCERNING GRAECO-BULGARIAN EMIGRATION

An agreement settling the financial obligations of the Greek and Bulgarian Governments resulting from emigration was accepted by the Council on December 11th,

(1) See *Monthly Summary*, Vol. VII, No. 9, p. 296.

(2) See *Monthly Summary*, Vol. VII, No. 9, p. 294.

as far as the League of Nations was concerned. It had previously been signed by the Bulgarian and Greek representatives and by the Chairman of the Mixed Commission on Graeco-Bulgarian Emigration.

The Council asked the Financial Committee in September to advise the President of the Mixed Commission, if so requested, as to the manner in which these obligations which bore on a total of 35 million dollars, might be settled. The President thereupon submitted the whole problem to the Financial Committee, which approved the general principles of an agreement providing for the issue by the Governments concerned of bonds in levas or in drachmas, as the case might be, bearing interest at 6 per cent, redeemable by purchase, by drawings or reimbursement. The Commission will fix the total nominal value of the bonds to be issued by each Government. The debtor State will deposit in a neutral bank selected by the Council the sum necessary for interest and sinking-fund. The League organisations dealing with refugees in both countries will arrange with the respective Governments to accept these bonds at par in payment of certain sums owing by refugees.

The agreement also lays down that the Council may transfer to another body the functions devolving on the Mixed Commission under this agreement. Any difference as to the interpretation of the agreement is to be settled by the Council with a majority vote.

The British representative, Sir Austen Chamberlain, who had recommended in September last that the Financial Committee should be consulted, noted the successful result of the cooperation of the two Governments concerned with the Mixed Commission and the Financial Committee, and expressed his satisfaction at the final settlement of a matter which had been pending before the Council since 1926.

## X. — Social and Humanitarian Questions.

### 1. — TRAFFIC IN OPIUM

The Council noted on December 6th the report of the Advisory Committee on Traffic in Opium on the work of its tenth extraordinary Session (1).

On the proposal of the Canadian representative it decided (1) to draw once more the attention of all members of the League not yet parties to the Geneva Opium Convention of 1925 to the importance which the Advisory Committee attached to its entry into force; (2) to direct the attention of Governments to the request of the Advisory Committee for information, in their annual reports as to the precise manner in which confiscated narcotics had been dealt with, and for any other information that might be useful in this connection; (3) to ask the Chinese Government for a report on all important seizures of drugs in China; (4) to invite all States Members of the League to consider whether and to what extent it might be possible for them to improve their methods of supervision as regards the manufacture of and traffic in drugs.

The Italian representative submitted a proposal that the Secretariat of the Central Board to be set up on the coming into force of the Geneva Opium Convention should be constituted by the Social Section of the League Secretariat. This, he thought, would make it possible to avoid certain difficulties, since, through the League, every country would be able to supervise the work of the Board. The proposal was referred to the Advisory Committee.

The German representative stated that he was obliged to maintain his Government's reservation with regard to the appointment of a German expert to the Board.

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(1) See *Monthly Summary*, Vol. VII, No. 10, p. 282.

His Government would, however, take the necessary measures for the ratification of the Convention as soon as it was assured that its reservation would be taken into account.

With regard to the seizures of opium in China, the Chinese representative said that he would do his utmost to secure any possible improvement in the despatch of reports to the Advisory Committee.

## 2. — PROTECTION AND WELFARE OF CHILDREN AND YOUNG PEOPLE

In accordance with the proposal of the Chairman of the Advisory Commission for the Protection and Welfare of Children and Young People, the Council decided that the next session of the Traffic in Women Committee should open on March 12th, 1928, and that of the Child Welfare Committee on March 19th.

*Traffic in Women and Children.* The Council considered the second part of the report of the Special Body of Experts on its enquiry into the traffic in women and children, as amended in the light of observations made by nineteen Governments and information sent by another Government through a member of the Body.

Colonel Villiam Snow, Chairman of the Body of Experts, stated in a covering letter to the revised report that the arrangement of the material according to countries had seemed the most convenient and indeed the only practical method of presenting it, and he wished strongly to emphasise that all thought of criticism of any country had been far from the minds of those conducting the enquiry. The object of the experts had always been to give a picture of the international traffic in women as carried on in all countries in its widest ramifications. Owing to the limited character of the enquiry, it must remain a partial picture.

One of the members of the Body, Dr. Paulina Luisi, had made reservations with regard to the report in its present form.

On the proposal of the British representative, the Council authorised the immediate publication of the revised report, including the observations of Governments and the comments of the Special Body of Experts.

The Rapporteur, Sir Austen Chamberlain, said that the Body of Experts had endeavoured to give effect as far as possible to corrections of fact or other modifications suggested by Governments, some of which had criticised the methods of enquiry and conclusions, others confirming the general accuracy of its report. In several countries the position had changed for the better since the enquiry was begun, and legislative and administrative measures had been taken to cope with the evil dealt with in the report.

A suggestion of the experts, that it might be useful to extend the enquiry to countries which had not yet been visited, was referred to the Traffic in Women Committee.

*Report of the Special Body of Experts.* — The second part of the Report of the Special Body of Experts contains facts about the traffic in 28 countries studied and visited in the course of a special enquiry, namely, the Argentine, Austria, Belgium, Brazil, Canada, Cuba, Czechoslovakia, Egypt, France, Algeria, Tunis, Germany, Great Britain, Greece, Hungary, Italy, Latvia, Mexico, the Netherlands, Panama, Poland and Danzig, Portugal, Rumania, Spain, Switzerland, Turkey, the United States and Uruguay. Visits were paid to 112 larger cities in these countries, including the capitals and principal ports.

The results of a preliminary survey in six other countries — Norway, Sweden, Denmark, Palestine, Morocco and the British West Indies — did not at the time appear to warrant fuller study.

As regards the scope of the enquiry, the definition of the word "traffic", adopted for the investigation, covers offences of procuring within national boundaries and

transporting for prostitution and other immoral purposes. The interpretation adopted by many countries under the Convention of 1910 has been extended to include all cases in which women or children have been procured and sexually exploited for gain either at home or abroad.

The sources of information include *a*) replies from 32 Governments to a questionnaire drawn up by the experts and addressed by the Secretary-General of the League to all States Members, *b*) the annual reports of Governments to the Advisory Committee on Traffic in Women and Children and their memoranda on the relation between licensed houses and the traffic, *c*) evidence obtained by a detailed study in each of the countries and *d*) statements and reports by voluntary societies and private individuals engaged in welfare work.

With regard to *e*) it must be borne in mind that the statements of the underworld are liable to be exaggerated, that full credence must not be attached to them and that great caution must be exercised in accepting always their estimate as to the extent of their operations. It must also be emphasised that the mention of certain conditions in any country is not intended to imply that those conditions exist only in that country. All nations alike are desirous of stamping out the traffic, but the circumstances of some countries undoubtedly make the more difficult than it is for others.

The information is classified according to the countries visited. Each report contains chapters on internal conditions in relation to the traffic and on incoming and outgoing traffic, statistical tables, and extracts from prostitution regulations, from the penal code dealing with the offences of traffic, procuration, abduction, etc. and from emigration and immigration measures.

The chapter on incoming traffic gives the number, age, length of stay and mode of arrival of the foreign prostitutes in the country. It also contains an account of Government measures to keep out undesirable aliens and of the devices used by prostitutes and traffickers to evade these restrictions.

The chapter on outgoing traffic describes the movement of women and girls out of the country for purposes of prostitution and the measures taken to protect emigrants from exploitation abroad by means of supervising the issue of passports, licensing employment exchanges, etc.

The annexes include the text of the international agreements of 1920, 1910 and 1921 for the suppression of the traffic; a table giving the position as regards ratification; the text of the questionnaire prepared by the experts and the list of the countries which replied; and a memorandum to the Council on the comments of Governments with regard to the report now published.

### 3. — THE INTERNATIONAL RELIEF UNION

On the proposal of the Italian representative, the Council decided to invite the Preparatory Committee for the International Relief Union to meet in the near future under the chairmanship of M. Külz, President of the Conference which founded the Union.

The object of this meeting is to promote the working of the Union and the execution of the Convention. Should it prove insufficient for the supplementary work required, the Preparatory Committee will be requested to appoint a very small body from among its members to carry on work in its name.

The Council appointed Mr. Kittredge (United States), Secretary-General of the League of Red Cross Societies, to succeed Colonel Bicknell on the Preparatory Committee.

### 4. — LEGAL AID FOR THE POOR

On December 5th the Council considered the results of an enquiry concerning free legal aid for the poor.

This enquiry was undertaken on the instructions of the 1924 Assembly, which requested the Secretariat (1) to ask the various States whether they would be disposed to become parties to a convention dealing with free legal aid for the poor on the basis of the principles formulated in the Hague Convention of 1905, and whether possibly they would propose any modification of these principles; (2) to collect information on the various treaties, laws and other provisions governing legal assistance in and between the different States, on public and private agencies providing such assistance, and on the authorities or persons appointed by Governments to answer enquiries regarding such assistance.

More than twenty countries have pronounced themselves in favour of the regulation by international agreement of the question of free legal aid for poor aliens.

Meanwhile, the Netherlands Government, on whose initiative the Hague Convention was adopted, has intimated that it intends to include this question in the agenda of the next international private law conference, which will meet at the Hague in the course of 1928. In these circumstances, the Council concluded that it was not necessary for it to take any steps with a view to an international regulation of the question, and instructed the Secretary-General to forward to the Netherlands Government the material collected by the Secretariat. In this way, the documentation will be available for the purposes of the conference.

## 5. — REFUGEES

The question of the extension to other categories of refugees of measures taken to assist Russians and Armenians came before the Council on December 5th.

It was decided to adjourn consideration of this matter, information having been received that the High Commissioner for Refugees would in all probability be unable to complete his report in time for this session.

*Settlement of Armenian Refugees* (1). — In reply to the appeal addressed by the Council to all States Members for financial assistance in settling Armenian refugees in the Caucasus, the Roumanian Government has offered to contribute 1000 sterling.

The Greek Government has offered to pay 25 % of the cost of transporting Armenian refugees to the Caucasus.

## XI. — Miscellaneous Questions.

### 1. — CONFERENCE OF PRESS EXPERTS

On December 7th, the Council dealt with the resolutions of the Conference of Press Experts the examination of which had been postponed in September.

These resolutions are numerous and varied. They have nevertheless a common feature. They all suggest improvements in the vast field of technical international press problems, the points brought forward being : a wider and stricter application of the international convention on postal subscriptions to newspapers; a more efficient and reliable protection of press news; greater facilities for journalists, while respecting their independence and freedom of criticism; the problem of censorship in peacetime; the importance of regional press agreements; the condemnation of tendentious news; and an appeal to the press to prepare the way for moral disarmament.

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(1) See *Monthly Summary*, Vol. VII, No. 9, p. 302.

The Council expressed the opinion that these resolutions were actuated by a desire to further the essential aims of the League, namely, the maintenance of peace and the development of international cooperation, and that, if they were put into effect, it would in a large measure reduce possibilities of misunderstanding.

It was decided, on the proposal of M. Aguera y Bethancourt (Cuba) to draw the attention of Governments to resolutions calling for official action and to invite them to inform the Secretary-General of the steps contemplated. The Council noted the resolutions embodying appeals or recommendations made by the Conference to the Press. It forwarded to the Transit Organisation a letter from the International Association of Journalists accredited to the League concerning direct telegraphic communications between Geneva and London, and laid special emphasis on the importance it attached to a rapid solution of the question.

## 2. — THE NEW LEAGUE BUILDINGS

The Committee studying the prize designs for a League Building with a view to a final choice met at Geneva from December 19th to 22nd, when it examined the nine designs in the light of conclusions contained in reports from the League Secretariat and two specially appointed architects. It also studied a report from the experts appointed by the Swiss Federal Government and the Canton of Geneva.

The Committee was unanimously of opinion that, under its terms of reference, it was obliged to choose one design from among the nine prize-winning plans, but that the liberty to make this choice with any changes that might be necessary enabled it to take into consideration features of other designs, and consequently to propose that the authors of the design chosen should collaborate with the authors of other designs, not only in the preparation of a new design, but also in its eventual execution.

The Committee concluded that the design which in its opinion most nearly satisfied practical and aesthetic requirements was that of M. H. P. Nénot and M. J. Flegenheimer. It nevertheless indicated disadvantages presented by this design and made suggestions with a view to remedying them, deciding that, a new design should be prepared by the authors of the design chosen in collaboration with M. Broggi, M. Vaccaro, M. Franzi, M. Lefèvre and M. Vago and with the Secretariat of the League of Nations.

The authors of the design chosen as a basis and their collaborators will be asked to prepare a new plan in order to give effect to the modifications suggested by the Committee. As regards this new plan the latter reserved its entire liberty of judgment before finally accepting it and submitting it to the approval and ratification of the Council.

The Committee, taking account of the generous gift made of Mr. John D. Rockefeller for the construction and endowment of a League Library, was of opinion that the provision made for the library in the plan chosen as a basis should be cancelled and a separate plan drawn up for the new Library.

In presenting to the Committee the new designs for the League Building and the Library, the Architects will be called upon to indicate the probable total cost of execution which, including architects' fees, should not exceed, in any case, the sum of 19,500,000 Swiss francs for the Secretariat and Assembly Hall. The total cost of the new Library, including architects' fees, should be about 4,000,000 Swiss francs. The Architects will also be required to indicate procedure for the continuation of their collaboration in the execution of the plans after their final approval by the Council, including the method of remuneration of the various collaborators.

The Committee was also of opinion that it would be desirable, if practicable, that the buildings should be so planned as to face Mont Blanc, and that they should



be situated as far as possible from the shores of the lake in order to preserve as many as possible of the trees on the lake side. The Architects will be asked to give advice on this point in submitting their plans.

The new design will be signed by all the Architects who collaborate in its preparation.

### 3. — APPOINTMENTS TO THE SUPERVISORY COMMISSION

On December 5th the Council, after a tribute to the memory of Mr. Waddington, who died last September, appointed M. Parra Perez, Minister of Venezuela in Rome, to succeed him on the Supervisory Commission, M. Alfred Nemours (Haïti) being nominated to take M. Parra Peres' place as substitute member.

It renewed Dr. Nederbragt's (Netherlands) mandate for a period of three years.

It renewed for five years the mandate of M. Ceresa and M. Vivaldi as auditor and deputy-auditor of the League accounts.

### 4. — ESTABLISHMENT OF AN ADMINISTRATIVE TRIBUNAL

On December 9th the Council appointed the members of the Administrative Tribunal instituted by the Assembly to deal with claims from officials of the League Secretariat and of the International Labour Office concerning the observance of their contracts and of the staff regulations.

The Tribunal is composed of three judges and three deputy-judges, of different nationalities. The appointments are made for one, two and three years, the term of office of the individual members being decided by lot. The members are :

#### *Judges :*

M. Raffaele Montagna, Referendary Judge on the Council of State.

M. Deveze, Barrister, Member of the Chamber of Deputies, former Minister;

M. Froelich, Privy Councillor, Judge on the Greco-German Mixed Arbitral Tribunal.

#### *Deputy judges :*

M. de Tomcsanyi, Barrister, Professor of administrative and public law at the University of Budapest, former Head of Section at the Ministry of Finance;

M. Fide, Judge at the Copenhagen Court of First Instance, former Judicial Assessor to the Danish Army;

M. van Ryckevorsel, Member of the Second Chamber of the States-General, President of the Council of Appeal on questions of insurance against accidents occurring during employment.

## XII. — Forthcoming Events.

January 23rd : Meeting of the Committee of Experts on Bills of Exchange, Geneva.

January 23rd : Meeting of the Committee of Experts on the Preservation of Documents, Paris.

January 23rd : Meeting of the Committee of Experts on the Coordination of Higher International Studies, Paris.

January 25th : Meeting of the Supervisory Commission, Geneva.

January 26th : Meeting of the Committee of Experts on Library Coordination, Paris.

February 20th : Meeting of the Committee on Arbitration and Security, Geneva.

February 27th : Meeting of the Financial Committee, Geneva.

## Annex.

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### REPORT APPROVED BY THE COMMITTEE OF THE COUNCIL ON MARCH 15th, 1927

**(Methods or Regulations which would enable the Council to take such Decisions as may be necessary to enforce the Obligations of the Covenant as expeditiously as possible.)**

#### I. PRELIMINARY.

(a) The Committee has not been asked to give an authentic interpretation of Article 11 of the Covenant, or even to draw up a complete code of procedure for the application of this provision. It has simply to make recommendations regarding the action that may be deemed wise and effectual for the purpose of carrying into effect the provisions of that article. The recommendations which follow are based on

- (1) Past practice;
- (2) Previous resolutions of the Assembly and Council;
- (3) The proceedings of these bodies and of various committees formed by the League of Nations.

It should be clearly understood that the measures referred to below are only cited as examples, and that the Committee does not wish to underrate or dispute the value of any which it may not have expressly mentioned. It is impossible to draw up in advance any rigid classification of the infinite variety of events which occur in international political life. Nor is it possible, by resolutions, recommendations or suggestions, to prescribe limits to the extensive rights which the League holds in virtue of its essential duty, that of effectually safeguarding the peace of nations. Among the measures recommended will be found those which, having been favourably received, and having already been successfully applied appear particularly effectual. The list of these measures will doubtless be added to as further experience is gained.

(b) If the action to be taken under Article 11 is of particular concern to States which are not Members of the Council, such States must, under the terms of paragraph 5 of Article 4, be given a seat at the Council. The procedure instituted under Article 11 in no way implies the exclusion of procedure taken under other provisions of the Covenant. The Aaland Islands question, for example, was referred to the Council by the British Empire in virtue of Article 11; this did not, however, prevent the Council from declaring itself competent under Article 4, paragraph 4, and at the same time applying as far as possible Articles 12, 15 and 17.

Thus, if any action contemplated by the Council as being calculated to preserve peace is taken under the provisions of Article 15, the votes of the representatives of the parties will count for purposes of unanimity as far as such action is concerned. The report referred to in Article 15, paragraph 6, may, of course, contain any recommendations which the Council may think likely to bring about a settlement of the dispute and prevent a rupture.

(c) If the threat of war did not arise out of a dispute coming under Article 15, the Members of the Council not directly concerned in the dispute would still be free to make recommendations, which could not fail to have a considerable moral value.

(d) Under Article 11, any war or threat of war is declared to be a matter of concern to the whole League, and the League is directed to take any action that may be deemed wise and effectual to safeguard the peace of nations. If there is no threat of war, but some circumstance threatens to disturb the good understanding between nations upon which peace depends, that circumstance may be brought to the attention of the Assembly or the Council by any Member of the League so that presumably the Assembly or Council may consider what, if anything, should be done to restore international good understanding.

## II. WHERE THERE IS NO THREAT OF WAR OR IT IS NOT ACUTE.

(a) The Council will consider the question at a meeting, to be called specially if necessary, to which the contending parties will be summoned.

(b) The Council can request an organisation, or even a private individual, appointed by it to exercise conciliatory action on the parties.

(c) The Council may also suggest that the dispute be referred to arbitration or judicial settlement, in accordance with the provisions of Article 13 of the Covenant.

(d) If there is a doubt as to the facts of the dispute a League Commission may be sent to the *locus in quo* to ascertain what has actually happened or is likely to happen. It is understood that such a Commission cannot go to the territory of either party without the consent of the State to which that territory belongs.

(e) If, for the accomplishment of its task, the Council deems it necessary it can, in certain appropriate cases, ask for an advisory opinion from the Permanent Court, or else, in certain special circumstances, from a Committee of Jurists appointed by it.

## III. WHERE THERE IS AN IMMINENT THREAT OF WAR.

(a) Everything should be done to ensure that the Council shall meet with the greatest promptitude. In this connection the Committee refers to the recommendations which it made in its previous report on these questions (document C. 677, M. 268, 1926, dated December 4th, 1926).

(b) Even before the Council meets, it is desirable that the Acting President should send telegraphic appeals to the parties to the dispute to refrain forthwith from any hostile acts. The nature of this appeal will necessarily vary with circumstances of each case.

If, owing to exceptional circumstances, the Secretary-General considered that the Acting President was not in a position to act, he might request the ex-President most recently in office who is available to take this step in the name of the Council.

(c) As soon as the Council meets, it will no doubt verbally urge on the representatives of the nations in dispute the great importance of avoiding a breach of the peace.

(d) Further, the Council may take steps to see that the *status quo ante* is not disturbed in such manner as to aggravate or extend the dispute and thus to compromise the pacific settlement thereof. For this purpose it may indicate to the parties any movements of troops, mobilisation operations and other similar measures from which it recommends them to abstain.

Similar measures of an industrial, economic or financial nature may also be recommended. The Council may request the parties to notify their agreement on these points within the shortest possible space of time, the length of which will, if necessary, be fixed by the Council.

The details of these measures, and even their nature, obviously, depend upon the whole of the circumstances of the dispute. It should be mentioned that, in certain cases with which it has had to deal, the Council fixed a neutral zone on either side, from which the parties to the dispute were called upon to withdraw their troops.

(e) In order to satisfy itself of the way in which these measures have been carried out and to keep itself informed of the course of events, the Council may think it desirable to send representatives to the locality of the dispute. The Secretary-General, duly authorised by the Council, would keep lists of experts—political, economic, military, etc.—on the basis of lists supplied by the States Members of the League and of applications for employment submitted direct to him. These lists, classified according to categories, would be held by the Secretary-General at the disposal of the Council which, in case of crisis, would thus have names of suitable experts before it. The Council may also have recourse in this connection to diplomatic personages stationed in the neighbourhood who belong to States not parties to the dispute.

(f) Should any of the parties to the dispute disregard the advice or recommendations of the Council, the Council will consider the measures to be taken. It may manifest its formal disapproval. It may also recommend to its Members to withdraw all their diplomatic representatives accredited to the State in question, or certain categories of them. It may also recommend other measures of a more serious character.

(g) If the State in default still persists in its hostile preparations or action, further warning measures may be taken, such as a naval demonstration. Naval demonstrations have been employed for such a purpose in the past. It is possible that air demonstrations might within reasonable limits be employed. Other measures may be found suitable according to the circumstances of each case.

#### IV. GENERAL

(a) It should be pointed out that the very general terms of Article 11: "any action that may be deemed wise and effectual to safeguard the peace of nations"—allow of any action which does not imply recourse to war against the recalcitrant State. The above-mentioned measures have only been given as examples. Circumstances might lead to an alteration in the order of their application.

(b) In taking any of the above-mentioned measures, the Council will, of course not lose sight of the distinction made in Article 11 between paragraph 1, which deals with "threats of war" and paragraph 2, which deals with "circumstances... which threaten to disturb... the good understanding between nations".

(c) In any case contemplated above, the Members of the League not represented at the Council should be kept fully informed. Where necessary or desirable, their collaboration with the Council might be sought, either by sending a communication to each of them, or by summoning a special meeting of the Assembly.

(d) In the case of dispute between Member States and non-Member States, or between non-Member States, Article 11 will be applied by the Council in the light of the above observations and bearing in mind the circumstances of each case.

(e) If, in spite of all steps here recommended, a "resort to war" takes place, it is probable that events will have made it possible to say which State is the aggressor, and in consequence it will be possible to enforce more rapidly and effectively the provisions of Article 16.

# MONTHLY SUMMARY

## OF THE

# INTERNATIONAL LABOUR ORGANISATION

No. 1.

January 1927.

*This summary is published on the responsibility of the International Labour Office,  
to which all observations or requests for information as to its contents should be addressed.*

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### INTRODUCTION

*The suggestion has frequently been made by those interested in the work of the International Labour Organisation that it would be useful if the Office were to publish a Monthly Summary of its work similar to the Monthly Summary of the League of Nations. As those who have made this suggestion have been readers of the Monthly Summary of the League of Nations, it has seemed desirable that the International Labour Organisation Monthly Summary should be inserted as a separate sheet in the wrapper containing the Monthly Summary of the League and thus automatically go to the large public reached by that paper, and an agreement has been reached between the Secretary-General of the League of Nations and the Director of the International Labour Office to this effect. The Monthly Summary of the International Labour Organisation will confine itself to the briefest possible account of the principal activities of the Organisation. Readers who wish for further details may find them in the publications of the Office.*

*This first number is devoted to a general survey of the work of the Organisation in 1926.*

### THE YEAR 1926

The year 1926 in the International Labour Organisation has been one of marked progress. In addition to the solid achievements of the International Labour Conference, the Governing Body and the various Advisory Committees, the year has been significant by reason of the indications that have been given by the three elements represented in the Organisation, the Governments, employers and

workers of the various States, of a common desire not only to continue the work of the Organisation in the regions which have already been entered but to extend its activities into fresh fields in the spirit of Part XIII of the Peace Treaty.

Although the reasons for which the various States devote themselves to the work of the Organisation, arising out of particular national traditions or circumstances, are astonishingly various, an intense community of interest pulsates from Finland to Chile and from Japan to South Africa. In spite of criticisms and attacks from various quarters, the Organisation has gained in strength, in stability and in influence in 1926, and the year has given every reason to hope that the progress realised will be sustained in 1927.

## THE INTERNATIONAL LABOUR CONFERENCE

The International Labour Conference in 1926 was important from the standpoint both of practical achievement and of constitutional procedure.

Two Sessions of the Conference were held in immediate succession: one devoted mainly to the question of the inspection of emigrants on board ship; the other devoted mainly to questions affecting seamen. As concrete results of the work of these two Sessions, the Conference added to the code of international labour legislation which is gradually being established three Draft Conventions and three Recommendations; it also adopted other important decisions in the form of resolutions.

### The Eighth Session

The Eighth Session was held in Geneva from 26 May to 5 June 1926, the President being Mgr. Nolens, Minister of State of the Netherlands. Thirty-nine States were represented at the Conference.

The Conference adopted a Draft Convention concerning the simplification of the inspection of emigrants on board ship. This Convention is based on the principle that the official inspection carried out on board an emigrant vessel for the protection of emigrants shall be undertaken by not more than one Government—as a rule, that of the country whose flag the vessel flies—in order that the present duplication and overlapping may be avoided.

The Conference also adopted a Recommendation concerning the protection of emigrant women and girls on board ship. This Recommendation provides for the appointment in certain circumstances of properly qualified women conductresses to give to women and girl emigrants while at sea any material or moral assistance they may need.

Further, the Conference adopted a Resolution in favour of the carrying of an interpreter on any emigrant vessel carrying at least 50 emigrants speaking a language not that of the country under whose flag the vessel sails.

The Conference also dealt with a certain number of constitutional questions. It adopted a Resolution in favour of the appointment of a committee of experts to examine the annual reports from Governments, under Article 408 of the Peace Treaty, on the application of Conventions ratified by them, with a view to facilitating the scrutiny of these reports.

The Conference also adopted a number of amendments to its Standing Orders, the most important of which provides that in future questions on the agenda of the Conference will pass through what is called a "double discussion" procedure. According to this system, a question placed on the agenda of the Conference by the Governing Body will, at the first of two successive Sessions, form the subject of a general discussion, and if the Conference considers that it is suitable for a Convention or Recommendation, it will determine the form of the questionnaire to be sent to Governments with a view to the detailed examination of the question at the succeeding Session of the Conference.

The Conference, further, adopted resolutions concerning native labour, scientific management, unemployment, the Hours Convention, and the establishment of a Correspondence Office in India.

Finally, a valuable series of discussions took place on the Director's Report to the Conference. Sometimes the discussion of the Report may appear disjointed and irrelevant, but there can be no doubt as to its value. The protests or questions addressed by the workers' delegates to the Government delegates and the employers' delegates, and the replies of the latter, frequently lead to new progress in the direction of the ratification of Conventions or the development of labour legislation.

Perhaps the most interesting debate was that between the Indian and Japanese delegates. The delegates of India, employers, workers, and Government alike, drew attention to the difficulties experienced in the Indian cotton textile industry through competition on the part of Japan, which had not ratified either the Hours Convention or the Night Work of Women Convention. The Japanese Government and employers' delegates defended the standard of labour legislation in Japan. The debate obtained much publicity both in Europe and in the East. As the Director pointed out at the time, it is due to the public discussion which takes place at the Conference that the workers of the Far East have succeeded in obtaining some of the benefits which the Organisation was intended to secure for the workers of the world.

The debate on this question, on the problem of the ratification of the Hours Convention, and on other matters added further testimony to the belief that the Conference is more and more becoming an international tribune for the serious discussion of labour questions throughout the world.

#### The Ninth Session

The Ninth Session of the Conference, which immediately followed the Eighth Session, was held in Geneva from 7 to 24 June 1926. At this Conference, which dealt exclusively with maritime questions, 38 States were represented. The President was Viscount Burnham, who had also presided over the Third and Fourth Sessions of the Conference (1921 and 1922).

The most important question before the Conference was the international codification of rules relating to seamen's articles of agreement. On this question the Conference unanimously adopted a Draft Convention which deals with the nature of the agreement and the conditions required for its validity, the various kinds of agreement and the particulars which it must include, the method of recording the agreement, the publicity to be given to the articles of agreement and the conditions of their expiry or termination. ●

The Conference went on to adopt a resolution in favour of placing on the agenda of an early Session of the Conference the question of articles of agreement for the deep-sea fishing industry as well as for other forms of navigation excluded from the Convention. Another resolution was adopted in favour of further study by the Office of penalties in respect of violations of articles of agreement, particularly by desertion or absence without leave, and the submission of the results to the Joint Maritime Commission with a view to the possible treatment of the question internationally.

On the question of repatriation, the Conference adopted a Draft Convention, a Recommendation and a Resolution. The Draft Convention lays down the seaman's right not to be left behind in a foreign country, and it makes this right definite by requiring national law to make the necessary provisions to ensure this. The Recommendation requests Governments to take steps to provide for the repatriation of masters and apprentices engaged under special contracts and excluded from the

Convention. The Resolution, finally, invites Governments to ensure the repatriation of deep-sea fishermen.

The Conference also dealt with the question of the inspection of the conditions of work of seamen, and adopted on this subject a Recommendation on the general lines of the Recommendation on the general principles of factory inspection adopted in 1923.

A question which did not appear on the agenda of the Conference occupied a good deal of its attention. This was the question of hours of work in the mercantile marine. Since the failure of the Genoa Conference in 1920 to adopt a Draft Convention on this subject, the matter has continued to engage the attention of the Joint Maritime Commission, the Seamens' and Shipowners' organisations and the International Labour Office. The Conference, after previous examination in Committee, adopted a resolution asking the Governing Body to place the question of the regulation of hours of work on board ship on the agenda of a special maritime Session in 1928, and to submit this question to the Joint Maritime Commission at its next regular session.

The Conference also adopted resolutions instructing the Office to continue the study of seamen's welfare ashore and requesting the Governing Body to consider the possibility of placing this question on the agenda of an early Session of the Conference; and requesting the Office to collect information on the conditions of work in sponge-fishing, pearl-fishing, and similar occupations.

The Conference, meeting under conditions of extreme difficulty, reached conclusions of great importance. If opposition between shipowners and seamen was sometimes acute, the results obtained were none the less of positive value for the present and rich in promise for the future.

## THE RATIFICATION OF DRAFT CONVENTIONS

On 1 December 1926 the total number of ratifications of Draft Conventions registered with the Secretary-General of the League was 214. During the first eleven months of 1926, 29 ratifications were registered. The Conventions which show the greatest number of ratifications are :

- The Draft Convention concerning Unemployment, ratified by 20 States;
- The Draft Convention concerning the Night Work of Young Persons employed in Industry, ratified by 17 States;
- The Draft Convention fixing the Minimum Age for Admission of Children to Employment at Sea, ratified by 16 States; and
- The Draft Convention concerning the Rights of Association and Combination of Agricultural Workers, ratified by 16 States.

These figures, while not as favourable as might have been hoped, give no occasion for discouragement.

## THE EIGHT-HOUR DAY

Special interest attaches to the efforts made in connection with the ratification of the Hours Convention.

The obstacles in the way of ratification encountered at one period of the year were so considerable that the Director felt it necessary in August to "take a reckoning" in an article in the *International Labour Review*. He there pointed out that the first months of the year had been propitious. On 15 March the Ministers of Labour of Belgium, France, Germany, Great Britain, and Italy met in Conference in London to decide if they were in full agreement upon the provisions of the Eight-



Hour Convention, to examine together the exceptions allowed or proposed, and to facilitate a more or less simultaneous ratification of the Convention. At this Conference they agreed upon a text embodying their conclusions and confirming their agreement upon the interpretation of certain clauses of the Convention. The hope was therefore naturally entertained that ratification would follow at an early date. Instead of that, however, in the early summer a general movement took place in the direction of a lengthening of hours of work. In Great Britain the permissive Act providing for an eight-hour day (instead of a seven-hour day) in the coal mines was adopted; in Italy a Decree was issued making possible the addition of one hour to the normal working day; and in France an attack was made in some quarters on the eight-hour day.

By the autumn, however, the situation had considerably improved. When the Governing Body examined the position in October, it was noted that Belgium had ratified the Convention unconditionally and without reservations, that in France the Bill authorising ratification had passed the Chamber of Deputies and was before the Senate, that in Germany a Bill rendering possible the ratification of the Convention would shortly be considered by the Federal Government<sup>1</sup>, that in Italy the Decree providing for the possible extension of the working day to nine hours had not been put into operation, and that in Great Britain the eight-hour Act for the mines did not form an obstacle to the ratification of the Convention.

As a result of the discussion on the situation, the Governing Body decided to set up a Committee of twelve of its members to submit to the next Session of the Governing Body a report on the state of the hours question, with a view to the adoption of measures to reinforce the efforts of the Director to hasten the ratification of the Washington Convention.

## THE GOVERNING BODY

The Governing Body of the Office held, as usual, four sessions in the course of the year. Most of its decisions are referred to in other parts of this survey and need not therefore be repeated here. It may, however, be mentioned that the Governing Body decided that the 1927 Session of the Conference, which will open on 25 May, will have on its agenda the questions of Freedom of Association, Sickness Insurance, and Minimum Wage-fixing machinery in trades in which organisation of employers and workers is defective, and where wages are exceptionally low, with special reference to the home working trades.

The Governing Body decided to reserve for final choice as items on the agenda of the ordinary Session of the Conference in 1928 the following three questions: Prevention of Industrial Accidents, Unemployment Insurance, and the Regulation of Native Labour.

The Governing Body considered a Report submitted to it on the resolution on Scientific Management adopted by the Eighth Session of the Conference. It approved the negotiations undertaken by the Director with a view to collaboration between the Office and an Institute, the establishment of which has been contemplated by various organisations, particularly the Twentieth Century Fund of Boston.

A further important decision of the Governing Body related to the publicity of its sittings. After considering requests submitted to it by representatives of the press, including the International Association of Journalists accredited to the League of Nations, it decided that in future its sittings should, as a rule, be public.

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(1) This measure—the Workers' Protection Bill—has since been approved by the Federal Cabinet and published.

## COMMISSIONS AND COMMITTEES

The various Commissions and Committees set up to assist the Office in its work have continued their activities during the year.

### The Joint Maritime Commission

The Joint Maritime Commission met in Paris on 5-7 May, under the chairmanship of Mr. Arthur Fontaine.

A preliminary exchange of views took place on the proposed Draft International Labour Conventions relating to Seamen's Articles of Agreement and the proposed Recommendation relating to Inspection of the Conditions of Work of Seamen, prepared for submission to the Ninth Session of the International Labour Conference.

A Sub-committee presented a Report, which was adopted by the Commission, on the traffic which takes place in connection with the engagement of seamen, and on certain other abuses of which sailors are the victims when in port. This report formed the subject of a Resolution presented to the Conference.

The seamen's representatives on the Commission announced their intention of requesting the Conference, in accordance with the resolution adopted by the French Federation of Seamen's Unions, to decide in favour of the inclusion on the agenda of the 1927 Session of the question of the international regulation of hours of work in ships. After a somewhat long debate, the shipowners' representatives stated that they would report to their respective organisations the desire expressed by the seamen and the tenor of the discussion upon it in the Commission.

It was decided by the Governing Body at its 32nd Session, in May 1926, that the composition of the Commission should be completed by inviting the International Labour Conference, at its Ninth Session, to nominate two deputy members to represent shipowners and two deputy members to represent seamen, in addition to the five members from each group already on the Commission. The Ninth Session of the Conference made the necessary nominations.

### The Permanent Emigration Committee

The Permanent Emigration Committee held its first meeting in Paris on 22-23 March 1926, under the chairmanship of Mr. Arthur Fontaine. In addition to the three permanent members of the Committee, Messrs. Fontaine, Carlier, and Jouhaux, the meeting was attended by a number of experts.

The object of the meeting was to undertake a preliminary examination of the technical aspects of the question of the simplification of the inspection of emigrants on board ship, a subject on the agenda of the Eighth Session of the International Labour Conference.

After some discussion on the general aspects of the question, the experts proceeded to an exchange of views on the practical issues submitted to them. In the first place, they pronounced unanimously against the presence of several inspectors on board the same emigrant ship, considering that a single inspector would be preferable. They were also, generally speaking, of opinion that this inspector should be chosen by the State under whose flag the ship sailed, and that he should secure the enforcement of the legislation of such State.

Various solutions were also suggested for special cases; for example, in the event of the State in question failing to appoint the inspector, or in the event of there being special agreements between the emigration country and the navigation company concerned.

The single inspector would be entitled to submit complaints to the master, without in any way infringing the latter's prerogatives, and also to report to the Government of the State appointing him. The report would be communicated to the Governments of the other countries concerned and to the master of the vessel.

During the discussion, a recommendation in favour of the consideration of an international agreement fixing standardised minimum conditions to be demanded as regards all vessels, in respect of the treatment of emigrants, was supported by the majority of the experts, and approved without opposition.

### Correspondence Committee on Industrial Hygiene

The Correspondence Committee on Industrial Hygiene met at Düsseldorf from 13 to 15 September 1926. Its agenda consisted of two items: (1) the question of weights to be carried by workers in general and dockers in particular, and (2) the question of industrial diseases subject to compensation which the Committee might propose to add to the list adopted by the Seventh Session of the International Labour Conference (Geneva 1925).

The meeting was opened by Mr. Albert Thomas, and was presided over by Dr. Glibert.

As regards the question of weights to be carried, the Committee decided to continue the investigation of this problem, either in the docks or in laboratories. It also examined a list of fatigue tests prepared by the Industrial Hygiene Section of the Office, and five experts undertook to revise the parts which concerned matters in which they specialise.

With reference to industrial diseases to be added to the list adopted by the 1925 Session of the Conference, the Committee was of opinion that the most urgent were the following: Phosphorus necrosis, poisoning by nitro-amido derivatives of benzene and kindred substances, pathological disorders caused by X-rays and other radio-active substances; cancer caused by tar, resin, bitumen, etc., and recurring dermatitis caused by the action of dust or liquids.

The Committee also discussed the problem of silicosis, and it was finally decided to continue the enquiry already begun and to ask the advice of the most qualified persons on the best methods of diagnosing the disease. A report on the subject is to be presented to the next meeting of the Committee.

Finally, the Committee discussed informally the important question of periodical medical examination in unhealthy industries. After laying down general principles, a resolution was adopted inviting the Office to instruct its Industrial Hygiene Section to study the question of the adoption of an international standard in this matter.

### The International Conference of Labour Statisticians

The Third International Conference of Labour Statisticians, convened by the International Labour Office, met in Geneva from 18-23 October.

The agenda comprised:

- The classification of industries;
- Methods of compiling statistics of collective agreements;
- Methods of compiling statistics of industrial disputes; and
- Methods of conducting family budget enquiries.

Delegates representing in most cases the national statistical services were present from 21 countries.

The first few sittings were devoted mainly to methods of conducting family budget enquiries and methods of compiling statistics of collective agreements.

The Conference recognised the need for holding enquiries into family budgets every ten years, and for basing such enquiries on a considerable number of families which should be requested to keep daily accounts of income and expenditure over a sufficiently long period.

With regard to statistics of collective agreements, a keen discussion took place on the question whether it was actually possible to compile such statistics, having regard to the wide differences in the legal status given to collective agreements.

At its later sittings, the conference discussed statistics of industrial disputes. The Conference considered at some length the problems involved in making an exact distinction between a strike and a lock-out, and the best methods to adopt for determining accurately the results of disputes.

It adopted, on these questions, as on those relating to statistics of collective agreements and family budget enquiries, a series of resolutions of which drafts had been prepared by the International Labour Office, and which will form a solid foundation for the work of establishing by progressive stages uniformity in statistics.

Finally, the Conference considered the work done by the Office in connection with the compilation of an international schedule of the main industries, based

on the industrial classifications employed for statistical purposes in the different countries. The Conference approved a number of suggestions as to the lines on which this work should be continued, in collaboration with the League of Nations and the International Institute of Statistics.

The Conference was presided over by Mr. John Hilton, Director of Statistics of the British Ministry of Labour.

### The Mixed Committee on Economic Crises

The Mixed Committee on Economic Crises, composed of representatives of the Economic and Financial Committee of the League and of experts nominated by the International Labour Office, held a meeting in Geneva in March, at which it adopted various motions in favour of giving effect to the resolutions previously voted by the International Labour Conference concerning the campaign against unemployment.

In addition to the question of economic barometers and of methods of developing and generalising their use, the Committee continued its consideration of two problems which were submitted to it by the International Labour Conference of 1922, viz. methods to be used to combat existing unemployment, and the study of periodic fluctuations, with a view to finding some means of mitigating their effects.

While pointing to the effectiveness, under normal economic conditions, of a policy of credit control by banks of issue, the Mixed Committee dealt mainly at this session with the various disturbances caused by the war and by the development of economic nationalism which took place subsequent to the war; also with the exaggerated and artificial development of certain industries, and the disturbance of international commerce caused by an excessive protectionism, fiscal methods, profiteering and middlemen.

### The Refugee Advisory Committee

The Refugee Advisory Committee held its annual meeting at the International Labour Office on 9 September 1926. The Committee took the opportunity of paying a tribute to the work accomplished during the past year by the High Commissioner and by the International Labour Office in the work of placing refugees.

The Committee adopted a resolution, proposed by the British organisations, recommending action, in co-operation with the French authorities, in favour of some 50,000 distressed Armenian refugees in Syria.

Among the other resolutions adopted by the Committee special mention may be made of that proposed by the representatives of the Russian organisations, concerning the legal status of refugees, and drawing attention, in particular, to the view that the various practical questions arising in connection with the status of Russian refugees will never be satisfactorily settled until the whole question has been definitely regulated by the League of Nations. In this connection the Committee took the view that the Inter-Governmental Conference of May 1926 had laid down the general principles which might be followed by the High Commissariat for the solution of the question.

Another resolution was adopted on the proposal of one of the Russian representatives, concerning the placing of intellectual workers, pointing out the desirability of making arrangements to enable Russian students to pursue their University studies.

It may here be mentioned that the International Labour Office has been able, since it took over refugee work on 15 January 1925, to transfer and place in employment 40,000 refugees.

It is estimated that over 1,000,000 Russian and Armenian refugees are scattered throughout Europe and China. The International Labour Office is directly concerned with the unemployed and destitute, numbering approximately 190,000, of whom 90,000 are Russian refugees and 100,000 Armenian refugees.

Two new Committees have been set up by the Organisation during the year.

### Committee on the Application of Conventions

A Committee of Experts was appointed by the Governing Body at its thirty-third session, held in October 1926, to facilitate the use of the reports presented, in accordance with Article 408 of the Treaty of Versailles, with regard to the application of Conventions by States which have ratified them. This Committee was set up in conformity with a resolution adopted by the Eighth Session of the Conference, and in accordance with previous consideration given to the problem by the Governing Body.

### Committee on Forced Labour

The Governing Body has approved a number of nominations of experts to be members of the Advisory Committee for the Study of Questions of Forced Labour and Long-Term Contract Labour. The institution of this Committee was decided on by the Governing Body as a result of a study of the problem, and having regard to the desire expressed by the 1925 Assembly of the League of Nations and the declaration of Lord Cecil concerning the continuance of the study by the Office of native labour and the regulation of its conditions.

## THE PERMANENT COURT OF INTERNATIONAL JUSTICE AND THE COMPETENCE OF THE INTERNATIONAL LABOUR ORGANISATION

The Permanent Court of International Justice, at a hearing held on 23 July 1926, delivered its advisory opinion on the following question :

Is it within the competence of the International Labour Organisation to draw up and to propose labour legislation which, in order to protect certain classes of workers, also regulates incidentally the same work when performed by the employer himself?

This question was submitted to the Court at the instance of the Employers' Group on the Governing Body, and arose out of the doubts felt by the Employers' Group as to the competence of the Organisation in connection with a Draft Convention concerning night work in bakeries adopted at the Seventh Session of the Conference, which included the following paragraphs :

Subject to the exceptions hereinafter provided, the making of bread, pastry or other flour confectionery during the night is forbidden.

This prohibition applies to the work of all persons, including proprietors as well as workers engaged in the making of such products.

The Court, after a careful examination of the relevant documents and memoranda submitted to it, and after hearing the oral declarations of representatives of the various organisations concerned, answered the question in the affirmative, thus upholding the competence of the International Labour Organisation.

## THE COLLECTION AND DISTRIBUTION OF INFORMATION

The Office has continued its work in the collection and distribution of information. The Library now includes over 150,000 items, in more than 30 different languages, and over 2,000 periodicals coming from 55 countries are regularly received.

The various enquiries which have been entrusted to the Office, including the Enquiry into Conditions of Work in the Mines, the Enquiry on Freedom of Association, the Enquiry into Conditions of Work in Asiatic Countries, the Enquiry on Apprenticeship and Technical and Vocational Education, the Enquiry on Conciliation and Arbitration, the Enquiry on Legal Decisions on Labour Questions, the

Enquiry on Social Charges, and the Enquiry on the Position of Agricultural Workers, have been pressed forward.

Important researches have also been undertaken on various aspects of the questions of unemployment, social insurance, migration, industrial hygiene and safety work of women and children, and the conditions of work of intellectual workers.

The work of the Office in replying to requests for information on labour and industrial questions, received from Governments, employers' and workers' organisations, and various public and private bodies, continues to grow in importance. In 1925 the number of such requests received was 687 (compared with 505 in 1924 and 402 in 1923). In 1926 the total for 1925 had already been exceeded by 12 November.

The periodical and serial publications of the Office, the *International Labour Review*, the *Industrial and Labour Information*, the *Official Bulletin*, the *Legislative Series*, the *International Labour Directory*, the *Encyclopaedia of Hygiene, Pathology and Social Welfare*, the *Bibliography of Industrial Hygiene*, the *Monthly Record of Migration*, and the *Industrial Safety Survey*, have all continued to appear. In addition, a number of important *Studies and Reports* have been issued, some in connection with the work of the Conferences and Committees, others, such as reports on the Stabilisation of Employment in the United States and Industrial Conditions and Labour Legislation in Japan, in view of the general public interest that is taken in these questions. All the work done in this field continues to be based on the conviction of the Office that no reform can be fruitful, no progress can be real, that is not solidly established on a basis of knowledge.

## THE INAUGURATION OF THE NEW BUILDING

The new building of the International Labour Office was formally inaugurated on 6 June 1926, between the Eighth and Ninth Sessions of the International Labour Conference. In the morning a meeting was held, at which, among those present, were the President of the Swiss Confederation, members of the Council of the League of Nations, Ministers of various States Members of the League and the Labour Organisation, members of the Diplomatic Corps, and representatives of the public authorities of Geneva. Addresses were delivered by a large number of prominent personalities, most of whom had been associated since the start with the work of the International Labour Organisation. In the afternoon, in the presence of a large gathering, the entrance gates of the new premises were formally opened with three symbolic keys by Mr. Arthur Fontaine, Chairman, and Mr. Carlier and Mr. Oudegeest, Vice-Chairmen, of the Governing Body, representing the Governments, the employers and the workers.

The new building, which has been enriched with gifts contributed as examples of their national art by over twenty Governments and a certain number of organisations and personalities, is admirably adapted for the secretarial work of the Organisation.

## CO-OPERATION WITH THE LEAGUE OF NATIONS

Close co-operation has been maintained between the International Labour Office and the League of Nations. This co-operation is indicated not only by the participation of the Office in the work of certain of the League Committees, but also by the number of decisions of the Assembly which concern the Office.

The Office has continued to co-operate with the International Committee on Intellectual Co-operation, with the Advisory Commission for the Protection and Welfare of Children and Young Persons, with the Communications and Transit Organisation, with the Mandates Commission, and in connection with Disarmament and Health.

Particularly close co-operation has taken place in connection with the preparatory work for the International Economic Conference. One member of the Employers' Group and one member of the Workers' Group on the Governing Body were requested by the Council to sit on the Committee, together with four persons qualified to represent the point of view of the workers and two members of the International Co-operative Alliance. In addition, and in order to give a clear indication that the International Labour Organisation was to take a systematic part in the preparatory work for the Conference, the Council of the League decided that the Chairman of the Governing Body was to be asked to attend those sittings at which the Council would discuss questions relating to the preparation of the Conference which may concern the International Labour Office.

The Office has also collaborated in the documentary preparation for the Committee and has supplied several Memoranda on the fields allotted to it.

The Seventh Assembly dealt with a number of questions in which the Office is interested and in which it co-operates with the various organs of the League, such as the Economic Conference, Mandates, Slavery and Forced Labour, Russian and Armenian Refugees, and the Protection of Children.

## RELATIONS

No account of the work of the Organisation in 1926 would be complete without some mention of the relations maintained between the Office and the world of industry and labour. The fruitfulness of the work of the Organisation depends in large measure not only on the support of public opinion in general but also on the collaboration of the employers and workers of the world.

During 1926 the employers have shown readiness to co-operate in the work of the Organisation. The International Organisation of Industrial Employers has collaborated in the Enquiry into Conditions of Work in Coal Mines, the various employers' organisations have supplied invaluable assistance in the preparation of the Directory of Employers' Organisations published by the Office, and close collaboration has taken place with the International Chamber of Commerce.

The workers' organisations have continued to give the fullest support to the Organisation, and from almost every country in the world, from the Baltic States to Australia, messages of confidence and goodwill have been received. The various international trade union federations have also reiterated their support of the Organisation.

The Co-operative movement, through the International Co-operative Alliance and the various national societies, has continued to express its sympathy with the work of the Organisation.

The Intellectual workers of the world, through the International Confederation of Intellectual Workers and the various international and national professional and student associations, among which special mention should be made of the International Federation of Journalists, have expressed their desire to collaborate with the Office.

Finally, among the many other international associations which actively support the Organisation, special mention should be made of the International Association for Social Progress and the newly-created Committee for the International Labour Organisation and Social Legislation of the International Federation of League of Nations Societies.

The active goodwill represented by the support of all these bodies, which often differ acutely on other questions, is a good augury for the increasing success of the Organisation in facilitating the establishment of social justice.

# MONTHLY SUMMARY

OF THE

## INTERNATIONAL LABOUR ORGANISATION

No. 2.

February 1927.

*This summary is published on the responsibility of the International Labour Office, to which all observations or requests for information as to its contents should be addressed.*

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### THE GOVERNING BODY

The Governing Body of the International Labour Office met on 28, 29, and 30 January, Mr. Arthur Fontaine, French Government delegate, presiding.

The Chairman welcomed the new representative of the Japanese Government, Mr. Kasama, who, in thanking the Governing Body for its welcome, assured it that he would continue with the same zeal as his predecessor, Mr. Mayeda, the fruitful collaboration of his country in the work of the International Labour Organisation.

The Governing Body discussed the report of Mr. Albert Thomas, Director of the International Labour Office, on the work of the Office since the last Session. It noted the satisfactory progress of the ratification of International Labour Conventions, the number of ratifications being now 215.

Mr. Albert Thomas supplied some information on the international situation of the Eight-Hour Day and on the new possibilities of the ratification of the Washington Convention in France, Germany, and Great Britain.

The Governing Body then considered the report submitted to it by Mr. Butler, Deputy-Director of the Office, on his mission to the United States and Canada. It congratulated Mr. Butler on the interesting information he had brought back from his journey, information which would contribute to render closer the ties between the countries of North America and the International Labour Organisation.

The representative of the German Government submitted a proposal for facilitating and extending the use of the German language at the International Labour Conference. The Governing Body decided to remit the preliminary examination of this question to its Standing Orders Committee.

The Governing Body examined the Resolution remitted to it by the Ninth Conference with regard to the possible convocation in 1928 of a special Maritime Conference, to deal particularly with the International Regulation of Hours of Labour on Board Ship.

In the course of an interesting discussion, the delegate of the British Government and the Employers' Group asked that the study of this questions should be adjourned to the next Session of the Governing Body. After this proposal had been rejected, the Governing Body decided, by 13 votes to 9, with 1 abstention, to give effect to the recommendation adopted by the Joint Maritime Commission on 22 January and to inscribe provisionally the question of the International Regulation of Hours of Labour on Board Ship on the agenda of a Maritime Conference to be held in 1928. The final decision with regard to the convocation and the agenda of this Maritime Conference will be taken at the next Session of the Governing Body.



The Governing Body was called upon to determine the final agenda of the ordinary Session of the Conference in 1928. In order to avoid too heavy a programme for this Conference, which would probably take place after a Maritime Conference, it decided to inscribe on its agenda only the question of the Prevention of Accidents, including those caused by Coupling on Railways.

The Governing Body then examined the report of Mr. Sokal, delegate of the Polish Government, who explained the work done by the Eight-Hour Committee with a view to seeking the means of reaching a general and final agreement on the question of hours of labour.

Messrs. Lambert-Ribot and Oersted explained, in the name of the Employers' Group, the difficulties to which, in their opinion, the ratification of the Washington Convention was still exposed.

Mr. Jouhaux recalled the agreement reached last year in London between the Ministers of Labour of France, Germany, Great Britain, Italy, and Belgium with a view to a common interpretation of certain clauses in the Convention. As Belgium had given effect to the London agreement and had ratified the Convention unconditionally, Mr. Jouhaux urged the other Governments concerned to ratify it at the earliest possible moment.

The Governing Body then heard statements by Messrs. Wolfe, representative of the British Government, Poulton, Oudegeest, and Hermann Müller, of the Workers' Group. Mr. Albert Thomas summed up the discussion and mentioned his reasons for being of good hope. He showed, on the basis of recent events, the constant progress of the idea of the eight-hour day in the great industrial countries, and in particular, Belgium having ratified, in France, Germany, Great Britain, and Italy. He indicated that the work accomplished by the Eight-Hour Commission would help the International Labour Office to follow up and to develop its efforts with a view to obtaining the early ratification of the Washington Convention.

The Governing Body then decided to consider two proposals of Mr. de Michelis, Italian Government delegate, regarding the creation of a permanent committee on intellectual work and the rôle of the International Labour Office in the educational use of the cinema. It affirmed that the competence of the International Labour Office should cover intellectual workers, and it authorised the Director to submit a full and detailed scheme with a view to the organisation of a Permanent Committee on Intellectual Work, with regard to the creation of which a decision would be taken at the next Session.

The Governing Body will hold its next meeting on 31 March.

## COMMISSIONS AND COMMITTEES

In addition to the usual quarterly meeting of the Governing Body, meetings took place in the course of the month of the following Commissions and Committees:

### THE JOINT MARITIME COMMISSION

The Joint Maritime Commission of the International Labour Organisation met in Geneva from 20-22 January 1927, under the chairmanship of Mr. Arthur Fontaine (France), Chairman of the Governing Body of the International Labour Office.

The Commission considered the report of Mr. Albert Thomas on the general work of the Office as regards maritime questions.

Note was taken of the progress of ratifications of the Conventions concerning maritime labour, the number of such ratifications having increased in the course of the past year from 55 to 69.

Note was also made of the action taken by the Office with regard to various problems which the Commission had invited it to study. The Commission approved detailed plans, submitted to it by the Office, for enquiries into conditions of work in the fishing industry.

The problem of social insurance for seamen received some attention. The Commission was informed that a general report on sickness insurance was being prepared by the Office for the purposes of the 1927 Conference, and that it would contain provisions applicable to seamen.

Passing to the question of the general protection of the health of seamen, the Commission observed with satisfaction the creation of a permanent joint committee of the League of Red Cross Societies, the Health Section of the League of Nations, and the International Labour Office, with a view to studying suitable measures for facilitating the medical treatment of seamen and the promotion of their wellbeing both at sea and ashore.

The Commission next discussed safety measures in connection with the loading and unloading of ships. It was of the opinion that the question of marking the weight of packages carried in ships might be placed on the agenda of a general Conference.

The Commission then examined the decisions of the Ninth Session of the International Labour Conference, and especially the resolution concerning the study of the penalties applied in the different countries to breach of seamen's articles of agreement. It considered that it was desirable to continue the examination of the legislation in force.

A favourable reception was given to the idea of including in the agenda of the next maritime Conference, with a view to a Recommendation, the question of the conditions under which seamen live in the ports.

The Commission approved the plan of enquiry proposed by the Office with regard to conditions of work in sponge-fishing and pearl-fishing.

The opinion of the Commission was requested, in conformity with a Resolution of the 1926 Conference, on the advisability of including the question of the regulation of hours of work on board ship in the agenda of a maritime Session of the Conference in 1928.

The shipowners' representatives declared that it did not appear to them to be possible to apply the eight-hour day in a uniform manner on board ship, and they were therefore not in favour of bringing the problem now before an international conference. They contended that the Peace Treaty had dealt with the eight-hour day only as an ideal to be attained, and that the special and complicated conditions of maritime navigation made it impossible at present to alter the established system in order to comply with general principles.

The seamen's representatives pointed out that the reduction of hours of work in the merchant marine was contemplated so long ago as 1919 by the Washington Conference, and further that the question now was that of giving effect to a Resolution formally adopted by the Conference last June, to the effect that the possibility of the international regulation of hours of work in ships should be considered, and not that a strict rule of eight hours a day or forty-eight hours a week should be established forthwith. The principles laid down by the Washington Conference, as well as the interests of economic peace and social progress, demanded that maritime undertakings should not be behind industrial or agricultural undertakings, but that they should endeavour, in their turn, to reduce hours of labour according to suitable rules.

Some of the members of the Commission stated that the application of the Eight-Hour Act in the French merchant marine had led to a more rational organisation of work, and that its results had been, on the whole, favourable.

The Commission eventually decided, by 7 votes to 5, to recommend the Governing Body of the Office to include the question of the regulation of hours of work on board ship in the agenda of a maritime Session of the Conference in 1928.

The Commission unanimously proposed that two other questions should be placed on the agenda of this Session, namely (1) the protection of seafarers in case of sickness, including the treatment of the injured on board, and (2) the improvement of the conditions of life of seamen in ports.

Finally, the Commission considered several questions relating to its own composition. It was decided to suggest to the Governing Body of the Office that the number of members of each group—shipowners and seamen—should be raised from five to seven.

#### THE MIXED ADVISORY AGRICULTURAL COMMITTEE

The Mixed Advisory Agricultural Committee, which is composed of six members of the Governing Body of the International Labour Office and six representatives of the International Institute of Agriculture in Rome, met in Geneva on 24 and 25 January 1927, under the chairmanship of Mr. Arthur Fontaine, Chairman of the Governing Body of the Office.

The Committee considered various methods of securing the most effective collaboration possible with experts.

It took note of the work carried on in common by the two institutions with regard to agrarian reform, technical agricultural education and agricultural co-operation.

Discussion also took place on means of collaboration with a view to the collection of documentary information relating to the part represented by the cost of labour in the total costs of agricultural production, and relating to hours of work in agriculture.

#### THE COMMITTEE ON WORKING CONDITIONS IN COAL MINES

The Committee of six members of the Governing Body of the International Labour Office, appointed by the Governing Body in October 1925 to supervise the enquiry in which the Office is engaged into the conditions of work of miners in various countries, met in Geneva on 24 January 1927, under the chairmanship of Mr. Wolfe, representative of the British Government.

The Committee took note of the progress so far made in this enquiry. It received a report on the replies received by the Office to a questionnaire sent to Governments as a result of previous decisions of the Committee.

This enquiry, it may be recalled, had its origin in a resolution passed by the Committee of the International Miners' Federation in April 1925. In accordance with that resolution, the Workers' Group at the Seventh Session of the International Labour Conference, in June 1925, proposed that an international enquiry should be made by the Office into the conditions of work in mines in various countries, particularly as regards hours, holidays, and wages. The Conference unanimously adopted a resolution requesting the Governing Body to consider the conditions under which such an investigation could be carried out by the Office, and at its Session in the following October the Governing Body gave the necessary authority and instructions to the Office.

At the same Session, the Governing Body nominated six of its members—two representatives of Governments, two employers' representatives, and two workers' representatives—to follow the course of the enquiry and report upon it to the Governing Body from time to time. By this enquiry it is hoped to bring together, in a thoroughly scientific manner, all the available information relating to hours of work, wages, and annual holidays in the coal-mining industry, and to present it in such a form as to make possible a comparative study of those conditions.

#### THE COMMITTEE ON THE HOURS CONVENTION

The Hours Committee, consisting of twelve members of the Governing Body of the International Labour Office, met in Geneva on 26 and 27 January 1927, under the chairmanship of M. Sokal, representative of the Polish Government.

This Committee was appointed by the Governing Body last October to examine the situation with regard to the Washington Hours Convention, to collect precise information with regard to legislation relating to hours of work, and to consider whether it was possible to reinforce the Director of the Office in his efforts to speed up the progress of ratification of the Convention.

At its first meeting, in November last, the Committee requested the Office to prepare a general report on legislation relating to hours of labour and on the regulation of hours by collective agreements in the various countries of Europe.

The Committee, at the present meeting, took note of this report and congratulated the Office on the very substantial volume of facts which it had been able to bring together.

In the course of discussion, several employers' representatives called attention to difficulties which, in their opinion, would be raised by ratification of the Convention, and it was decided that the Committee should bring these difficulties to the notice of the Governing Body.

The Committee approved a report to be presented by Mr. Sokal to the Governing Body.

Following statements by the representatives of the Workers' and Employers' Groups, the Committee decided to convey to the Governing Body its opinion that the work of collecting information undertaken at its instance by the Office was such as to assist the efforts of the Director to obtain the ratification of the Washington Convention.

#### THE RATIFICATION OF DRAFT CONVENTIONS

On 31 January 1927, the total number of ratifications of Draft Conventions registered with the Secretary-General of the League of Nations was 215.

At the same date, the number of Draft Conventions, of which ratification had been approved by the competent authority in the country concerned, but not yet registered with the Secretary-General of the League, was 38.

# MONTHLY SUMMARY

## OF THE

# INTERNATIONAL LABOUR ORGANISATION

No. 3.

March 1927.

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### THE RATIFICATION OF DRAFT CONVENTIONS

On 28 February 1927, the total number of ratifications of Draft Conventions registered with the Secretary-General of the League of Nations was 217.

At the same date, the number of Draft Conventions of which ratification had been approved by the competent authority in the country concerned, but had not yet been registered with the Secretary-General of the League, was 37.

### THE EIGHT-HOUR DAY

The French Senate decided on 10 February to adopt the Bill to authorise the ratification of the Hours Convention.

The Bill, introduced by the French Government in July 1924, consisted of two clauses, the first authorising ratification, and the second providing that this ratification should take effect only when the Convention had been ratified by Germany. In this form, it was unanimously adopted by the Chamber of Deputies in July 1925, and sent to the Senate. The Senate has now adopted it, by 279 votes to 1, with an amendment (approved by the Government) providing that ratification shall take effect only when the Convention has been ratified by Great Britain as well as Germany. The Bill has therefore to be returned to the Chamber of Deputies, with a view to its concurrence in this amendment.

The statement of principles on which according to the German Press, the German Federal Chancellor recently came to an agreement with the National Party, in connection with the formation of the new Government, embodied a declaration on social policy which included the following :

The next step in this direction is to create an extensive body of law for the protection of the workers, special consideration being given to miners. Such legislation, while based on German conditions, should fix hours of work, including Sunday rest, in accordance with international agreements. On the basis of such legislation, the German Government is prepared to ratify the Washington Convention at the same time as other industrial countries of Western Europe.

It is also authoritatively stated that the Labour Protection Bill, which is at present in its earlier stages of progress, will make ratification possible when supplemented by separate legislation relating to mines which is now in preparation.

In Great Britain a debate on the Hours Convention took place in the House of Commons on 28 February. An account of this debate will be given in next month's *Summary*.

The States which have ratified the Convention are as follows :

19 November 1920	Greece	12 June 1924.	Austria (conditionally)
13 June 1921.	Roumania	6 October 1924.	Italy (conditionally)
14 July 1921.	India	15 August 1925.	Latvia (conditionally)
24 August 1921.	Czechoslovakia	15 September 1925	Chili
14 February 1922.	Bulgaria	6 September 1926	Belgium

### THE GERMAN LABOUR PROTECTION BILL

The *International Labour Review* for February 1927 contains an article by Dr. Feig (Ministerial Councillor in the Federal Ministry of Labour, and representative of the German Government on the Governing Body of the International Labour Office) in which an account is given of the origin, general principles, and main provisions of the Labour Protection Bill presented by the Federal Minister of Labour at the beginning at last December to the Provisional Federal Economic Council and the Federal Council.

In the course of this article, Dr. Feig recalls that the German Government has repeatedly declared that in drafting the Bill it would bear in mind the possibility of ratification of the Washington Hours Convention.

But (he proceeds) any attempt to lengthen hours of work in the more important competing countries must, of course, make it much more difficult to maintain this standpoint. Recent instances are the adoption in Great Britain of the Act to increase the working day in mining, and in Italy of the nine-hour Decree. The German Government has none the less kept to the views defined in the article of Dr. Brauns (in the *Reichsarbeitsblatt* of 1 September 1924), according to which Germany will be prepared to ratify the Washington Convention if an agreement can be reached with the other States concerned on the difficulties of interpretation and on simultaneous ratification . . .

The Bill is intended to make it possible to ratify various Conventions, in particular that on the eight-hour day... In the German view, however, ratification is impossible until German legislation has been brought into agreement with the Convention to be ratified. This means that the Labour Protection Bill must be passed by the Reichstag, and also that no amendments can be allowed which make ratification impossible. The ratification of the Hours Convention is further dependent on the adoption of a Mining Act to regulate the hours of underground miners, which is now being drafted. After that, ratification by Germany may be expected, subject to ratification by the other chief industrial States as well.

A summary of the clauses of the Bill relating to hours of work is given in the *Industrial and Labour Information* of 14 February.

### THE DECISIONS OF THE INTERNATIONAL LABOUR CONFERENCE AND THE RECENT AGREEMENT BETWEEN ITALY AND SWITZERLAND AS REGARDS UNEMPLOYMENT

It will be remembered that in 1919 the International Labour Conference at its first meeting at Washington adopted a Draft Convention concerning unemployment. This Convention of the International Labour Organisation is among those which have received the largest number of ratifications, twenty States having already sent formal notice of ratification to the Secretary-General of the League of Nations. A further result has now been the conclusion of a most important and

interesting agreement between Italy and Switzerland. The Convention, which Switzerland formally ratified in 1922 and Italy in the following year, provides in Article 3 that :

The Members of the International Labour Organisation which ratify this Convention and which have established systems of insurance against unemployment shall, upon terms being agreed between the Members concerned, make arrangements whereby workers belonging to one Member and working in the territory of another shall be admitted to the same rates of benefit of such insurance as those which obtain for the workers belonging to the latter.

In pursuance of this clause a declaration was signed on 9 February at Rome, for Italy by Mr. Mussolini, as Minister of Foreign Affairs, and for Switzerland by Mr. Georges Wagnière, Minister Plenipotentiary, concerning reciprocity of treatment of Italian and Swiss workmen as regards insurance against unemployment.

### (THE EMPLOYMENT OF CHILDREN IN FILM PRODUCTION

The making of films for the cinematograph, in special studios or other wise is an industry in which many children, sometimes very young children, are employed. During the past year a number of requests were received by the International Labour Office for information concerning the conditions of labour of such children. In order to reply to these, enquiries had to be made in a number of countries; thus a certain amount of information was collected which was printed from time to time in the Office's weekly publication, *Industrial and Labour Information*. These notes, though lacking in completeness, aroused interest; and the First Cinematograph Congress, held in Paris last September and October, asked the Office to make a further, and more exhaustive, survey. Pending the completion of the survey, desired by the Congress, an article in the *International Labour Review* for February deals briefly with the employment of children in cinematograph studios and the laws regulating it.

In the course of its enquiries into the employment of children in cinematograph studios, the International Labour Office secured information about the following countries: Australia, Austria, Cuba, Finland, France, Germany, Greece, Great Britain, Italy, Latvia, Norway, Sweden, Switzerland, and the United States.

It was found that special laws exist only in Germany, California, and New York State; but it must not be forgotten that Germany and the United States are precisely the two countries in which the film industry is the most flourishing. In Italy the employment is specifically mentioned in a law covering a number of other occupations; in Austria the position is practically the same as in Italy, though the employment is not specially mentioned; in Sweden and in the majority of American States the ordinary child labour laws apply; in France and Great Britain the employment is not regulated at all, but a modified control may be exercised by school attendance laws of municipal regulations.

If attention be confined to laws which directly regulate the employment of children in studios, it is seen that these fall into two classes. In the first are the laws which forbid the employment of children altogether, but allow exemptions for special films in the interests of art, education, or science; such are the laws of Austria and Italy. In the second are those which allow the employment of children in film production generally and rely upon strict permit conditions to prevent abuses; in this class the laws of Germany and California should be placed. In only one case (Berlin) is there an absolute age limit, evidently designed to prevent the employment of babies.

The article in the *International Labour Review* concludes as follows :

What then is the position in the matter of the employment of children in film production? It seems to be this. The enquirer is confronted with an occu-

pation outside the scope of most laws, an occupation which can, and does, employ children of very tender years. The fact that the labour of these children is in a large measure outside the law may cause apprehension for two reasons. First, whatever a film may be on the screen, its making is carried out in an atmosphere of shams and unrealities, which cannot but react unfavourably on the impressionable mind of a young child; secondly, there are physical risks, due principally to the lights used, that may warrant the occupation being classed as dangerous. Except in Germany, the employment is unregulated or regulation is only partial, that is, reliance is placed upon compulsory school attendance laws or upon laws regulating child performers generally. As yet the industry is considerable only in California, but it has made a good start in some European countries. It already owes much to the employment of children, and such employment will continue; it is not suggested here that it ought to be stopped. But the work should be made safe for children, who ought to be protected against all possible risks. The nature of these risks, and the measures of protection required, have still to be ascertained.

### INTERNATIONAL SURVEY OF LEGAL DECISIONS ON LABOUR LAW, 1925

In its *Legislative Series* the International Labour Office has published since 1920 the texts of laws and regulations concerning labour adopted by the various States. It has frequently been suggested that a survey of the most important legal decisions in each country would constitute a valuable addition to the material contained in the *Legislative Series*, by furnishing examples of the interpretation and application of laws and regulations governing agreements for the hire of services, the individual relations between employers and employed, as well as industrial hygiene and safety. In response to this suggestion, the Office has undertaken the publication of an *International Survey of Legal Decisions on Labour Law* (1). In view, however, of the practical difficulty of exploring so vast a field, the International Labour Office has deemed it advisable to confine its researches within certain limits. The survey is therefore limited on the first place in respect of the number of countries dealt with; the legal decisions for the year 1925 relate only to Great Britain, Germany, France, and Italy. Further, it embodies only a selection of legal decisions, preference having been given to those affecting questions of principle, which are calculated to facilitate the improvement of labour legislation and are of international importance.

In the form in which it has been planned, this preliminary survey, which will be issued shortly, will serve to facilitate the study of foreign labour legislation and so contribute substantially to the development of labour law. In this way it will tend to promote social progress throughout the world, and its publication will thus hasten the fulfilment of one of the tasks—by no means the least important—entrusted to the International Labour Organisation by Part XIII of the Treaty of Peace.

(1) INTERNATIONAL LABOUR OFFICE : *International Survey of Legal Decisions on Labour Law, 1925*. Price 8 s. 6 d. 2.00.

# MONTHLY SUMMARY

## OF THE

# INTERNATIONAL LABOUR ORGANISATION

No. 4.

April 1927.

*This summary is published on the responsibility of the International Labour Office, to which all observations or requests for information as to its contents should be addressed. It is published for general information, and is not an official record.*

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#### I — THE RATIFICATION OF DRAFT CONVENTIONS

On 31 March 1927 the total number of ratifications of Draft Conventions registered with the Secretary-General of the League of Nations was 217. No ratifications were registered during the month of March.

At the same date, the number of Draft Conventions of which ratification had been authorised by the competent authority in the country concerned, but had not yet been registered with the Secretary-General of the League, was 38.

#### II — THE FORTHCOMING INTERNATIONAL LABOUR CONFERENCE

The Tenth Session of the International Labour Conference will open in Geneva on 25 May 1927.

The following questions have been placed by the Governing Body on the agenda of the Conference :

- I. *Sickness Insurance.*
- II. *Freedom of Association.*
- III. *Minimum wage-fixing machinery in trades in which organisation of employers and workers is defective and where wages are exceptionally low, with special reference to the homeworking trades.*

The Governing Body, in order to guide the International Labour Office in carrying out the preparatory work, defined the meaning and scope which it intended to give to each question.

In the case of *sickness insurance* it was agreed that the question of maternity insurance, which is of a special character, should not be included. The Governing Body considered that the Washington Convention concerning the employment of women before and after childbirth, which, as will be remembered, provides for the payment of benefits, partly covered the question, which could not therefore be



regarded as open. It was felt that, if the Conference should adopt provisions not corresponding exactly to those of that Convention, serious legal and practical difficulties might arise. This would apply particularly to those countries which have already ratified the Washington Convention. Although in a certain number of countries the legislation on sickness insurance includes maternity benefits in the general scheme, the Governing Body therefore thought it better that the Conference should deal with the two questions separately. It also considered that Article II of the Washington Convention, which requires the Governing Body to consider the desirability of placing on the Agenda of the Conference the question of the revision of the Convention not more than ten years after it has come into force, would at a comparatively early date give the Conference an opportunity, if necessary, to bring the provisions relating to maternity insurance into harmony with the wider provisions of a Convention on sickness insurance.

The Governing Body was also asked to consider whether the question of sickness insurance should or should not include that of the insurance of seamen. It considered that, as the Joint Maritime Commission had not yet had an opportunity of stating its opinion on this question, which would have to be submitted to it for preliminary consideration, the insurance of seamen was not included in the item placed on the Agenda.

In the case of *freedom of association*, it was simply agreed that the question of the right to strike should not be included. With this reservation the Governing Body considered that the whole question should be laid before the Conference for the discussion of all its aspects.

The third question, that of *minimum wage-fixing machinery*, has been phrased by the Governing Body in terms which leave no room for ambiguity. It was merely stated in the course of the discussion that the question should be regarded mainly, but not solely, from the point of view of home industries.

The first item on the agenda will be considered with a view to the adoption by a final vote of Draft Conventions or Recommendations, as the Conference may see fit.

The other items, however, will come before the Conference simply for general discussion, in accordance with a "double discussion" procedure adopted by the Eighth Session of the Conference. It was decided at that Session to institute a double discussion procedure by which each question on the Agenda would be submitted to the Conference once for a general discussion and again subsequently, if the Conference so decides, for a final vote on a Draft Convention or Recommendation.

In preparation for the Conference the Office has prepared a "blue report" and a "green report" on sickness insurance, and "grey reports" on the other two items on the Agenda. A "blue report" contains the replies of Governments to a questionnaire sent out by the Office, together with the text of a proposed draft for a Convention or Recommendation. A "green report" is a technical report. In the case of sickness insurance, the "green report" consists of three volumes (two volumes on compulsory insurance and one on voluntary insurance). A "grey report" contains an account of the existing situation of the particular question together with a draft questionnaire for the consideration of the Conference.

### III — THE INTERNATIONAL LABOUR OFFICE AND SCIENTIFIC MANAGEMENT

The International Labour Office has at present in the press a study by Mr. Paul Devinat, a member of its staff, entitled "Scientific Management in Europe". "Scientific Management", says the author, "is the science which studies the relations between the different factors in production, and especially those between the human

and mechanical factors. Its object is to obtain, by the rational utilisation of these various factors, the optimum output . . . By means of a fuller knowledge of the factors of production, its aim is gradually to replace industrial empiricism by increasingly exact rules".

The preparation of this study, which deals with the evolution of scientific management, its development in various countries, and the attitude towards it of employers, workers and the general public, was made possible by the help of the trustees of the Twentieth Century Fund, of Boston. It represents the results of an enquiry which paved the way for the International Institute for Scientific Management, established at Geneva within the last few weeks in collaboration with the International Labour Office and the International Committee on Scientific Management. The Institute is financed at present mainly by the Twentieth Century Fund. Its broad purpose is to collect and distribute information relating to scientific management, to study its problems, and to bring into touch all persons or institutions interested in the rational organisation of production.

It may be added that the International Labour Office, in taking part in the creation of this new institution, is complying with the Resolution adopted by the Eighth Session of the International Labour Conference to the effect that it should devote special attention to questions of the scientific organisation of industry, "in view of the fact that these questions are of increasing social interest".

#### IV — THE EIGHT-HOUR DAY

The question of the ratification by Great Britain of the Washington Hours Convention was the subject of a debate in the British House of Commons on 28 February, which was both interesting and important.

The discussion, which was initiated by the Labour Party, was interesting by the fact that of some thirty members who spoke, including Conservatives as well as Liberals and Labour members, scarcely one declared himself opposed to ratification; almost without exception, the speakers were in favour of ratification, though not in every case of immediate or unconditional ratification.

The discussion was also important, inasmuch as it elicited from the Government some rather more definite indications of their attitude than had previously been given to Parliament.

In the course of the debate the Minister of Labour, Sir Arthur Steel-Maitland, stated :

We are really trying to explore the ground. The matter is under the active consideration of the Cabinet as a whole at this moment. I am not prepared to give the House a final decision or a final statement. All I can say is that we have been definitely trying to get down to a solid basis.

Towards the close of the debate, Mr. Betterton, Parliamentary Secretary to the Ministry of Labour, announced that the Government had set up a Cabinet Committee to examine the whole position with a view to arriving at an early conclusion; and Sir Arthur Steel-Maitland, replying to a question whether the Government would agree to a provisional ratification, stated :

In coming to a decision, the question whether the ratification should be by an enabling Bill, or some other provision allowing us to ratify conditionally on the other nations ratifying, is precisely the kind of point that we shall take into consideration.

## V — THE INSTRUCTION OF YOUNG PEOPLE IN THE AIMS AND WORK OF THE ORGANISATION

The Office has been giving consideration to the problem of the instruction of young people in the aims and work of the Organisation, in accordance with the recommendations, approved by the Seventh Assembly, of the sub-committee of experts for the instruction of children and youth in the existence and aims of the League of Nations. These recommendations include the following two paragraphs :

The competent authorities in each country should take steps to ensure that teachers should be provided with a copy of the Covenant and the "International Charter of Labour", with short explanations, and a concise bibliography.

It is important that provision should be made for those who leave the ordinary school for special types of instruction, e.g. trade schools, continuation classes, evening classes, technical schools, technical institutes, agricultural institutes, etc. Those in charge should therefore be asked to introduce into their courses of instruction some account of the League of Nations and the International Labour Organisation in the form most suitable for their pupils.

## VI — PRESIDENT MASARYK'S VISIT TO THE OFFICE\*

On 12 March 1927 the International Labour Office was honoured by a visit from Mr. Masaryk, President of the Czechoslovak Republic.

He was welcomed to the Office by Mr. Albert Thomas, the Director, and leading members of the staff. At his own request, the visit was informal.

Mr. Thomas greeted the President warmly, not only as the head of the State which was the first to ratify the Hours Convention, but as an apostle of the rights of people to govern themselves and a champion of social justice.

Mr. Masaryk cordially acknowledged the greeting. He was then conducted over the Office, in order that he might see its various services at their work.

## VII — THE INTERNATIONAL LABOUR OFFICE MAILBAG

To all those who follow the activities of the International Labour Office some particulars of the development of its mail and the extent of the correspondence which it handles cannot fail to be of interest. In point of fact, the volume of its correspondence is increasing year by year to a very considerable extent.

From 1925 to 1926, the total number of letters received has risen from 32,300 to 33,250; and that of letters despatched from 27,000 to nearly 40,000, which represents a total mail of some 73,000 letters.

Twenty-three languages in all have been used in this correspondence, and show that the International Labour Office is at present in communication with 97 States, protectorates, colonies and mandated territories.

Arising out of this voluminous correspondence the Office undertakes a vast amount of research, the object of which is to furnish information and material to every kind of government institution, to workers' and employers' organisations, and to many other bodies who ask the help of the technical services of the International Labour Office.

# MONTHLY SUMMARY

## OF THE

# INTERNATIONAL LABOUR ORGANISATION

No. 5.

May 1927.

*This summary is published on the responsibility of the International Labour Office, to which all observations or requests for information as to its contents should be addressed. It is published for general information, and is not an official record.*

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### THE RATIFICATION OF DRAFT CONVENTIONS

On 30 April 1927, the total number of ratifications of Draft Conventions registered with the Secretary-General of the League of Nations was 229.

At the same date, the number of Draft Conventions of which ratifications had been approved by the competent authority in the country concerned, but had not yet been registered with the Secretary-General of the League, was 25.

During the month of April the ratification by the Kingdom of the Serbs, Croats and Slovenes was registered of the following twelve Draft Conventions :

*Washington, 1919 :*

- Unemployment;
- Employment of women before and after childbirth;
- Employment of women during the night;
- Minimum age for admission of children to industrial employment;
- Night work of young persons employed in industry.

*Genoa, 1920 :*

- Minimum age for admission of children to employment at sea.

*Geneva, 1921 :*

- Application of the weekly rest in industrial undertakings;
- Minimum age for the admission of young persons to employment as trimmers or stokers;
- Compulsory medical examination of children and young persons employed at sea.

*Geneva, 1925 :*

- Workmen's compensation for accidents;
- Workmen's compensation for occupational diseases;
- Equality of treatment for national and foreign workers as regards workmen's compensation for accidents.

### THE GOVERNING BODY

The Thirty-fifth Session of the Governing Body of the International Labour Office was held in Geneva from 30 March-1 April 1927. Mr. Arthur Fontaine (Government, France) presided.

### INTELLECTUAL WORKERS

The Governing Body further considered the question of the establishment of an Advisory Committee of Intellectual Workers, in accordance with the proposal of Mr. de Michelis, representative of the Italian Government. Discussion took place on a report by the Director of the Office giving reasons in favour of the adoption of the proposal and embodying a scheme for putting it into effect. The Committee in question would have as its purpose the consideration of economic and social problems relating to intellectual workers.

The discussion showed that there was no opposition to the principle of the proposal and that it was progressing towards practical realisation. In order that effect might be given to it, the Governing Body decided to include an initial vote for it in the budget of the Organisation for 1928. As to the details of the constitution of the Committee and the exact definition of its functions, these are to be decided by the Governing Body at one of its future Sessions, after the International Labour Office has consulted the Committee of the League of Nations on Intellectual Co-operation during its sittings in July next.

### THE CINEMATOGRAPH

The Government Body considered a second proposal by Mr. de Michelis, in favour of the organisation of a collection of cinematograph films relating to labour, and decided to entrust to the Office the task of compiling a catalogue of such films.

### THE PROGRESS OF RATIFICATIONS

The Governing Body considered the report of Mr. Albert Thomas on the general work of the Office. Note was taken of the progress achieved with regard to the ratification of International Labour Conventions, including the decision recently taken by the French Senate in connection with the approval of conditional ratification of the Washington Hours Convention by France. Note was also taken of the fact that in Great Britain the question of ratification of this Convention has been the subject of debate in the House of Commons, and that the British Cabinet has appointed a Committee to consider the matter with a view to a decision.

### ANNUAL REPORTS ON APPLICATION OF CONVENTIONS

The Governing Body decided upon the composition of the Committee which is to examine the annual reports presented by Governments, under Article 408 of the Treaty of Peace, on the application of Conventions which they have ratified. The following were nominated as members of the Committee :

Mr. Jules Gautier, Mr. Tschoffen, Prof. H. W. C. Davis, Prof. William Rappard, Prof. Gini, Mr. Quadrat, Mr. von Nostiz, and Sir Selwyn Fremantle. Prof. Koszembar-Lyskowski was appointed as substitute members.

### TENTH SESSION OF THE CONFERENCE

The Governing Body received a report on the state of the preparatory work undertaken in view of the coming International Economic Conference and the Tenth Session of the International Labour Conference, which will open in Geneva on 25 May next.

### DIRECTOR'S VISIT TO HUNGARY AND THE BALKANS

Several members of the Governing Body, after congratulating the Director on the results of his recent visit to Hungary and the Balkans, requested that a fairly detailed report of it should be published. The representative of the Japanese Government called attention to the usefulness of direct contact between the Direc-

torate of the Office and the various Governments of States Members of the Organisation, and expressed a desire that such contact on this point should be extended in the near future to the Far Eastern countries.

#### JOINT MARITIME COMMISSION

The Governing Body next considered the action to be taken on the recommendations made by the Joint Maritime Commission at its last Session.

A proposal made by the representative of the Canadian Government was accepted, recommending to the next Maritime Session of the Conference an increase from 10 to 14 in the number of members of the Commission, and for the reservation of at least four seats for representatives of non-European countries.

#### HOURS OF WORK OF SEAMEN

The Governing Body was then called on to take a final decision on the question of placing on the agenda of a Maritime Session of the International Labour Conference the subject of the regulation of hours of work on board ship.

Mr. Wolfe, the representative of the British Government, declared that for the settlement of questions affecting workers in the merchant marine to be useful and effective, it ought to be preceded by national agreements between shipowners and seamen. The British Government would not be opposed to a Conference which had for its object the international registration of such agreements. But he was opposed to the placing on the agenda now of the regulation of hours of work on board ship, and he therefore proposed a Resolution for the adjournment of the matter until the agenda for the 1919 Conference came up for discussion.

This proposal was resisted by the Workers' Group. Mr. Jouhaux stated that Part XIII of the Treaty of Peace was drawn up more particularly in order that satisfaction might be given to the claims of labour, and that the demands of the seamen were an expression of the desires of the whole community of the workers. The demand now under consideration, he added, had been formulated by seafarers as a whole, from officers to seamen.

Mr. Fontaine, the representative of the French Government, said that his Government, whatever its own legislation might be, would be prepared to consider such a system as would place seamen in a proper position from the point of view of conditions of work, without involving commitment to any strict formula. On the principle of the question, it was not possible to refuse to seamen alone the benefits given to other workers. As to the practical aspect of the matter, he observed that most of the arguments adduced against the regulation of hours of work were the same as those used in the past against any form of regulation of labour in industry. In order, however, to obtain the support of Great Britain, to which he attached very great importance, he put forward as a conciliatory suggestion the proposal that the Governing Body should postpone for a year the summoning of a Maritime International Labour Conference, but should definitely decide that such a Conference should be held in 1929.

The representatives of the German, Belgian and Italian Governments declared themselves in favour of placing the question of the regulation of hours of work on board ship on the agenda of a Conference.

The Employers' Group pronounced against this.

On a vote, the proposal of the British Government representative was rejected by 15 to 8, with one abstention.

The proposal of the French Government representative, for the formal placing of the regulation of hours of work on board ship on the agenda of a Maritime International Labour Conference to be held in 1929, was adopted by 15 votes. The six employers' representatives voted against it. Three Government representatives, including the representative of the British Government, abstained from voting. All the other Government representatives, together with the six workers' representatives, voted for the proposal.

## FINANCE

The Governing Body proceeded to consider the budget proposals submitted to it for the year 1928.

Mr. Hodac, on behalf of the Employers' Group, announced that his colleagues would abstain from voting on the budget, but that this abstention did not imply either any mistrust in the International Labour Office or any fundamental hostility to the work of the Office.

Mr. Jouhaux, Reporter on the budget, pointed out how difficult it was for the International Labour Office to discharge its functions and continue its development if it were subjected to a system of restriction and cramping, which would only paralyse its activity, and drew attention to the fact that the greater part of the increase was due to annual increments which were payable under contract. He urged the Governing Body to vote for the budget, and to show that it was faithful to the idea that the Office was instituted for the benefit of the masses of the people, who had placed their confidence in the principles laid down in Part XIII of the Peace Treaty.

The Governing Body, by 16 votes with 6 abstentions, approved the budget estimates presented for 1928, those estimates having been drawn up with a view not only to the requirements of the Office but to the rigid policy of economy practised and demanded by the States Members as a whole.

## THE CONFERENCE : A QUESTION OF LANGUAGE

The Governing Body considered a report presented by its Standing Orders Committee on the subject of two proposals of the German Government relating to the use of the German language at the International Labour Conference.

One of these proposals was that speeches delivered in a non-official language should be translated by the official interpreters of the Conference, so far as those interpreters are competent to translate from such languages. The other proposal was that an authentic German text should be prepared of the Draft Conventions and Recommendations adopted by the Conference, such text being of equal validity with the French and English texts.

In connection with the first of these proposals, the Italian representatives on the Governing Body called attention to the claims of the Italian language to any privileges which might be accorded to other languages.

The representatives of Spanish-speaking countries stated that they reserved the right to present to the Conference the claims of the Spanish language.

The Governing Body, accepting the recommendations of its Standing Orders Committee, decided to submit to the Conference a draft amendment to its Standing Orders for the purpose of extending, so far as possible, to all non-official languages the new facilities for interpretation requested for the German language.

At the suggestion of the Standing Orders Committee, the consideration of the second German proposal was postponed until the next Session of the Governing Body.

## AN INVITATION FROM GERMANY

Mr. Feig, representative of the German Government, conveyed to the Governing Body the desire of his Government that it should hold one of its Sessions, at no distant date, in Berlin.

The Chairman expressed the thanks of the members to the German Government for this friendly invitation which, he said, would be considered in a most favourable spirit by the several groups of the Governing Body.

THE DIRECTOR'S VISIT TO CENTRAL EUROPE  
AND THE BALKAN COUNTRIES

In response to repeated invitations from the Governments of Hungary and Greece, Mr. Albert Thomas, Director of the International Labour Office, paid an official visit to those countries from 20 February to 10 March 1927. On the way

he took the opportunity of renewing contact with the Governments and employers' and workers' organisations of Austria and Jugoslavia. In the capitals of all these countries he received a friendly and cordial welcome.

In all cases, Mr. Thomas observed with keen satisfaction the high esteem and active sympathy in which the International Labour Office is held. The visit enabled him to discuss with the authorities the situation in each country with regard to the Conventions adopted by the International Labour Conference, and to consider the possibility of further ratifications.

The question of the enforcement of Conventions which have been ratified is in certain countries even more important and urgent than that of fresh ratifications. In some countries, the inspection system requires improvement. Mr. Thomas, however, noted during his mission that the suggestions embodied in the Recommendation of 1923 are frequently invoked by the public departments in support of requests for the creation of additional posts in the factory inspectorate and the voting of the funds necessary for this purpose.

Both in Greece and in Jugoslavia, Mr. Thomas, with the necessary discretion but at the same time with the frankness permitted by the confidence with which he was met, mentioned the uneasiness which the Office felt at the incomplete enforcement of certain Conventions which had been ratified. He repeated the complaints which have sometimes been heard in the Governing Body and at the Conference.

According to the very spirit of the Treaty, the International Labour Organisation can only exist if the employers' and workers' organisations take an active part in its work. In all the States Members of the Organisation this principle is tending more and more to be accepted. Possibly the workers' organisations have not everywhere the strength and authority which would be desirable. Yet whenever the Director pays an official visit to the various countries, they are in all cases officially treated as bodies competent to take a part in the International Labour Organisation.

In conclusion, it may be noted that the press of the various countries visited by Mr. Thomas took a lively interest in his mission, and made it the occasion for publishing a number of articles on the Office and its work which should contribute to making the International Labour Organisation better known among their readers.

A fuller account of the Director's visit is contained in *Industrial and Labour Information*, 18 April 1927.

## THE FORTHCOMING INTERNATIONAL LABOUR CONFERENCE

On 6 April, the Director addressed a letter to all States Members of the International Labour Organisation giving further particulars with regard to the forthcoming (Tenth) Session of the International Labour Conference, which will open on 25 May.

In this letter the Director points out that it has been the duty of the Office, for the purpose of preparing the discussions of the Conference, to draw up a report on each of the three items on the agenda.

The report on the first item, *Sickness Insurance*, on which the Conference will be called upon to adopt decisions by way of Draft Conventions or Recommendations has been prepared in the form of the usual Blue Report. This reproduces the replies of the Governments to the questionnaire on the subject, and concludes with certain drafts which the replies have suggested might usefully be submitted to the Conference as a possible basis for discussion. This report will be supplemented by a technical report on the law and practice on Sickness Insurance in the different countries, which will be issued for the information of the Conference.

The reports on the other two items on the agenda, *Freedom of Association* and *Minimum Wage-Fixing Machinery*, on which the Conference will be called upon to proceed to a first discussion, contain a general survey of the present position of the question in the different countries and draft questionnaires on



the respective subjects. In accordance with the new double discussion procedure, these reports and more particularly the draft questionnaires will form the bases of the general discussion of the Conference on the two subjects concerned.

In this letter the Director also draws attention to the fact that at least one item on the agenda of the forthcoming Conference, i.e. item III, Minimum Wage-Fixing Machinery in certain trades with special reference to homeworking trades, may involve the consideration of matters specially affecting women, and reminds States Members of the provision contained in the second paragraph of Article 389 of the Treaty of Versailles, and the corresponding Articles of the other Treaties of Peace, relating to the nomination of women as technical advisers in such cases, and suggests that this provision be borne in mind by Governments in the nomination of Delegations to represent their countries at the Conference.

The Director also points out that the drafts contained in the Blue Report on Sickness Insurance which are proposed as a possible basis for discussion at the Conference include a proposed Draft Convention on Sickness Insurance for workers in agriculture. In these circumstances the Governments would perhaps deem it desirable to consider the inclusion in their delegations of persons with a special knowledge of agricultural questions.

In addition to the three items on its Agenda, the Tenth Session will be called upon to deal with a number of questions concerning the activities of the International Labour Organisation in general or the working of the Conference.

In the first place, it will, as in preceding years, have to take note of the *Director's Report*.

The Conference will also be called upon to set up a Committee of its members to consider the annual reports which, under Article 408 of the Treaty of Versailles, each Member undertakes to submit on the measures it has taken to give effect to the provisions of Conventions to which it is a party. The Governing Body has appointed a Technical Committee which will meet on 2 May in order to examine the annual reports submitted for 1926. This Committee's report will be submitted to the Governing Body for its consideration and will then be laid before the Conference together with the summary of the annual reports which is submitted to the Conference by the Director. These reports will be considered by the Committee of the Conference to be appointed at the Tenth Session.

The Conference will also have to examine a number of proposed amendments to the *Standing Orders* which the Eighth Session referred to the Governing Body for consideration and report to the Conference.

## THE INTERNATIONAL LABOUR OFFICE AND NATIVE LABOUR

The International Labour Office is called upon to study native labour questions, in the first place in connection with the conditions of application of Conventions, by countries which have ratified them, to their colonies, protectorates and possessions which are not fully self-governing in virtue of Article 421 of the Treaty of Versailles, and, in the second place in connection with conditions of labour in mandated territories. Moreover, the Governing Body, at its Session of July 1922, specially considered the need for collecting and making available informations on native labour questions, and entrusted this task to the Diplomatic Division of the Office as the service concerned with the application of Article 421 and labour questions in countries under mandate.

Since that time, the information collected, the experience gained in connection with the work of the representative of the International Labour Organisation on the Permanent Mandates Commission and on the Temporary Slavery Commission, the findings of the Temporary Slavery Commission, and, finally, the decisions of the Sixth Assembly of the League of Nations thereon, combined to make it appear that the time was ripe for considering whether certain of the more serious problems of native labour should not be dealt with by the International Labour Conference.

At its Thirty-second and Thirty-third Sessions in May and October 1926 the Governing Body, after considering the proposals submitted to it by the Director, drew up a list of experts whom it was suggested should be consulted. It was further decided that the experts should be consulted on the questions of forced and contract labour.

The names of the members new designed are the following :

*General Freire d'Andrade*, former Governor-General of Mozambique, former Minister of Foreign Affairs, Portugal, Member of the Permanent Mandates Commission, Member of Temporary Commission on Slavery.

Mr. Gohr, Director-General in the Ministry of the Colonies, Belgium, Member of the Temporary Commission on Slavery.

Mr. Lejeune, of the *Compagnie Nossibéenne d'Industries Agricoles* (Madagascar).

Sir Selwyn Fremantle, C. S. S., C. I. E., India.

Right Hon. Sir Frederik Lugard, G. C. M. G., C. B., D. O. S., former Governor-General of Nigeria, Member of the Permanent Mandates Commission, Member of the Temporary Commission on Slavery.

Mr. Merlin, Honorary Governor-General of the Colonies, former Governor-General of the French Congo, former Governor-General of French West Africa, former Governor-General of French Indo-China, Member of the Permanent Mandates Commission.

Commandant Ostini, ex-M. P., Head of the Colonial Schools Department at the General Emigration Commissariat, Rome.

Mr. Saura del Pan, Spanish Consul at Oran, former Chief of the Section of Civil Colonial Affairs in the Department for Morocco and the Colonies.

Freiherr von Rechenberg, former Governor-General of German East Africa.

M. Van Rees, former Vice-President of the Council of the Dutch East Indies, former Secretary-General of the Dutch Colonial Institute, Vice President of the Permanent Mandates Commission, Member of the Temporary Commission on Slavery.

Mr. H. M. Taberer, Chief of the Native Labour Recruiting Organisation of the Transvaal Chamber of Mines.

Interest in the question of Nation Labour has also been shown by the International Labour Conference, when on 5 June 1926, in the course of its Eighth Session, adopted a Resolution in the following terms relating to the decision of the Governing Body to appoint a Committee of Experts :

The Conference welcomes the decision reached by the Governing Body to undertake an enquiry into conditions of native labour, and expresses the hope that, as the result of the labours of the Committee of Experts which it is proposed to establish, it may be possible to present a preliminary report on the matter to the Conference of 1927.

## CO-OPERATION WITH THE LEAGUE OF NATIONS

During the month four meetings have taken place in which the International Labour Organisation has directly co-operated with the League of Nations. The first of these was the meeting of the Joint Commission of Experts on Health Insurance and Public Health Administration, held on 11 and 12 April. This Commission consists of members representing public health services selected by the Health Committee of the League and members representing health insurance organisations selected by the Governing Body of the International Labour Organisation.

The International Labour Office was represented at the Conference of International Student Organisations, held on 11 and 12 April, at the meeting of the Traffic in Women and Children Committee, which opened on 25 April, and at the meeting of the Child Welfare Committee, which began on 30 April.

# PUBLICATIONS OF THE INTERNATIONAL LABOUR OFFICE

1. **INTERNATIONAL LABOUR REVIEW (Monthly) :**  
 Contains articles on problems of industry and employment, based on special knowledge and research. In some cases, these articles are contributed by leading economists or other persons of authority on industrial and labour affairs. In other cases, they are the outcome of the scientific study by the International Labour Office of questions coming directly under its examination.  
 Annual subscription. . . . . 24s. | \$6.00
2. **INDUSTRIAL AND LABOUR INFORMATION (Weekly) :**  
 Contains, in addition to extracts from official and unofficial publications all over the world relating to current events affecting industry and labour, original information derived from the correspondence of the International Labour Office itself, and communications received directly from outside collaborators and from Governments.  
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 The channel through which the International Labour Office supplies official information on matters connected with the life and work of the International Labour Organisation.  
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4. **LEGISLATIVE SERIES :**  
 Consists of reprints and translations of the texts of the most important laws and regulations affecting labour adopted in the different countries.  
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8. **MONTHLY RECORD OF MIGRATION :**  
 Annual subscription. . . . . 8s. | \$2.00
9. **DOCUMENTS OF THE INTERNATIONAL LABOUR CONFERENCE :**  
 The Questionnaires and Reports issued by the Office in preparation for the Sessions of the Conference, the Report of the Director of the I.L.O., the Final Record of each Session, and the authentic texts of the Draft Conventions and Recommendations adopted at each Session.  
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10. **STUDIES AND REPORTS :**  
 Consists of monographs dealing with various labour problems, e.g. *Unemployment, Wages and Hours, Industrial Hygiene, Industrial Organisation*, etc.  
 Annual subscription. . . . . 40s. | \$10.00  
 In this series the following have recently been published :  
 Industrial Conditions and Labour Legislation in Japan, 119 pp. . . . . 2s. | \$50  
 Stabilisation of Employment in the United States, 112 pp. . . . . 2s. | \$50  
 Bibliography of Unemployment, 155 pp. . . . . 2s. | \$50  
 Wage Changes in Various Countries, 1914 to 1925, 143 pp. . . . . 2s. 6d. | \$60  
 Compensation for Industrial Accidents, 655 pp. . . . . 12s. 6d. | \$300  
 Workmen's Compensation in the United States, 103 pp. . . . . 1s. 6d. | \$40  
 Methods of Conducting Family Budget Enquiries, 100 pp. . . . . 1s. 6d. | \$40  
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### Total Annual Subscription : £ 8 ; \$ 40.00

Comprising all the publications mentioned above and any *Special Reports* (11), or parts thereof which are published during the period covered by the total annual subscription. The following are such :

#### INTERNATIONAL LABOUR DIRECTORY :

The *International Labour Directory* contains information with regard to organisations, both official and unofficial, which deal with industrial and labour matters. Published in seven parts.

Price. . . . . 12s. 6d. | \$3.25

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The purpose of the *Encyclopædia of Industrial Hygiene* is to bring together all the information available in the various countries concerning industries or processes which may be considered unhealthy.

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|--|---------------------|
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| (3) Brochure and volume edition. . . . . | £4. 0s. 0d. \$20.—  |

All prices quoted are post free. A full catalogue of the publications of the Office with a specimen copy of any publication will be sent free on demand. Address : INTERNATIONAL LABOUR OFFICE, GENEVA, Switzerland, or its national correspondents :

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# MONTHLY SUMMARY

## OF THE

# INTERNATIONAL LABOUR ORGANISATION

No. 6.

June 1927.

*This summary is published on the responsibility of the International Labour Office, to which all observations or requests for information as to its contents should be addressed.*

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### THE RATIFICATION OF DRAFT CONVENTIONS

On 31 May 1927 the total number of ratifications of Draft Conventions registered with the Secretary-General of the League of Nations was 229.

At the same date, the number of Draft Conventions of which ratification had been authorised by the competent authority in the country concerned, but had not yet been registered with the Secretary-General of the League, was 26.

### THE OPENING OF THE INTERNATIONAL LABOUR CONFERENCE

The Tenth Session of the International Labour Conference opened in Geneva on 25 May 1927.

Mr. Arthur Fontaine (Government Delegate, France) Chairman of the Governing Body of the International Labour Office, in opening the Session, said that 43 States were represented by 139 Delegates and 184 substitutes and advisers. The number of States represented out of the 55 Members of the Organisation was a normal one, if account were taken of the fact that States in which industrial organisation was only slightly developed had not a great practical interest in participating in the Conference.

The Agenda contained three questions :

- (1) Sickness insurance;
- (2) Freedom of association;
- (3) Minimum wage-fixing machinery.

Of these questions, one only—sickness insurance—was intended to lead to the possible adoption of a Convention or a Recommendation. The other two questions were simply to be submitted to a general discussion, in accordance with the so-called "double discussion" procedure, the Conference being required at the end of the present Session to decide whether these questions should be submitted to a subsequent Session for the adoption of Conventions or Recommendations. This new double discussion procedure was now being applied for the first time.

Another new feature was the presentation of a report by the Committee set up to examine the reports submitted by Governments under Article 408 of the Treaty

of Peace on the measures taken by them to give effect to the Conventions they had ratified. The Committee's analysis of these reports was destined to occupy an increasingly large place in the Annual Report of the Director. On 1 April 1927 there were 229 ratifications, compared with 194 on 31 March 1926, and these figures did not include the 25 ratifications of the Berne Convention concerning white phosphorus.

Slowly but surely continuous improvement was being effected in the conditions of the workers through the efforts of the workers' organisations, enlightened employers and Governments in touch with popular aspirations. Great progress had been made in the last eighty years as regards limitation of hours of work, the protection of women and children, and the improvement of the purchasing power of wages. Parallel with this evolution might be noted a great increase in the number of organised workers and in the power of machinery. He was far from concluding that enough had been done for the workers. He desired only to draw the conclusion that no economic system rendered useless the persevering effort for the increase of the output of labour and the improvement of the conditions of the workers.

The Conference proceeded to the election of its President.

The name of Sir Atul Chatterjee, first delegate of India and High Commissioner for India in London, was suggested.

Mr. Carlier (Employers, Belgium), Mr. Mertens (Workers, Belgium) and Mr. de Michelis (Government, Italy) cordially supported the nomination, on behalf of their respective groups, and, on a vote, Sir Atul Chatterjee was unanimously elected.

The President said he recognised that in electing him to the Chair the Conference had desired to pay a compliment to the country he represented. Relations between the International Labour Organisation and India had been of the most cordial and intimate character from the very inception of the Organisation, and the decisions of successive Sessions of the Conference had exercised a great influence on the minds of the Indian people and Parliament in shaping legislation to meet the growing industrialisation of the country.

A full account of the Conference will appear in the next issue of the *Monthly Summary*.

## THE INTERNATIONAL LABOUR ORGANISATION AND THE INTERNATIONAL ECONOMIC CONFERENCE

In this issue of the *Monthly Summary of the League of Nations* a full account appears of the proceedings of the International Economic Conference. It is therefore unnecessary here to do more than draw attention to the fact that Mr. Arthur Fontaine, Chairman of the Governing Body, appointed a member of the Conference by the Council of the League, took part in it together with a number of administrators, employers, and workers closely connected with the work of the International Labour Organisation.

Mr. Arthur Fontaine delivered a speech at the Fifth Plenary Meeting of the Conference on 6 May, which included the following passages :

The Council of the League of Nations was good enough to appoint the Chairman of the Governing Body of the International Labour Office a member of this Conference, and on coming here I meet a large number of my colleagues at the International Labour Conferences, who have been sent to this Conference by their Governments. This is because the questions to be discussed here are intimately connected with the work of the International Labour Organisation, with labour legislation and with social justice.

Part XIII of the Treaties of Peace of 1919, which is the constituent Charter of the International Labour Organisation, shows clearly the connection between the Organisation and the Economic Conference.

We have the same end in view, namely, peace, real peace, without the haunting fear of war; peace secure and peace prosperous. There are two methods of

attaining this end, and two conditions of its maintenance, namely economic peace and social justice.

Economic peace and social justice! Industrial competition depends on production costs, and production costs to a large extent depend on conditions of labour, such as hours of work, wages, social insurance and industrial hygiene. It is true that these conditions do not all tend to raise production costs, over an indefinite period, since, by the impulse which they give to the use of machinery, to the better employment of raw material and of hours of work by means of the increased health, strength and dexterity of the worker, and by the development of his education, they create compensatory advantages and economies. It is none the less certain that during a period of ten or twenty years' development, production costs tend to increase, and international competition has turned to the advantage of those who have established the strictest conditions of labour.

Mr. Arthur Fontaine then referred to the question of customs tariffs and quoted President Wilson's "Point" on economic barriers. Drawing attention to the contribution to the Conference of workers and co-operators, Mr. Fontaine said :

I could also point to many employers and workers (no doubt with small variations of view, since each group has provisional interests to consider and special interests to defend) to employers and workers agreed in contemplating international industrial agreements under public supervision, seeking some new and rational organisation of industry and commerce, and uniting in the understanding of two important objects, namely, a high level of output under proper conditions of industrial hygiene, and spare time for recreation made possible by intensive production in a 48-hour week. This is an additional explanation of the ardent zeal of the International Labour Office in taking part in the practical and theoretical work of the International Economic Conference.

It may be recalled that the International Labour Office co-operated in the documentary preparation of the Conference by compiling the following reports :

*Results of Certain of the Enquiries for Instituting Comparison between the Retail Prices in Private Trade and those of Distributive Co-operative Societies.*  
*Report on Legislation concerning the Movement of Labour and Migration in General.*

*Scientific Management in Europe.*

*The Part Played by Co-operative Organisations in the International Trade in Wheat, Dairy Produce and Some Other Agricultural Products.*

*Migration in its Various Forms.*

*Reports on the Standard of Living of the Workers in Various Countries.*

*The Relation of Labour Cost to Total Costs of Production in Agriculture.*

The texts of the conclusions and recommendations of the Conference will be found in the *Monthly Summary of the League of Nations* and, in part, in the *Industrial and Labour Information*.

#### THE COMMITTEE ON ARTICLE 408 (APPLICATION OF CONVENTIONS)

The Committee of Experts set up by the Governing Body of the International Labour Office, in pursuance of a resolution of the Eighth Session of the International Labour Conference, met in Geneva on 2 May to consider the annual reports submitted by the States Members of the International Labour Organisation under Article 408 of the Treaty of Versailles.

It will be remembered that Article 408 provides that the States Members should each year make a report to the Office on the measures which have been taken to give effect to the provisions of Conventions to which they are a party.

The duty of the Committee was to consider the reports submitted, to point out questions on which it would be desirable to require supplementary information,

and to note if necessary any divergencies in the interpretation of the provisions of Conventions.

It will be remembered that the following have been appointed as members of the Committee :

Professor H. W. C. Davis, Sir Selwyn Fremantle, Mr. Jules Gautier, Mr. Gini, Mr. von Nostiz, Mr. Quadrat, Professor William Rappard, Mr. Tschoffen, and Professor Koszembar-Lyskowski (substitute member).

All the regular members of the Committee attended the meeting, with the exception of Mr. Quadrat, who was replaced by Professor Koszembar-Lyskowski.

Under the chairmanship of Mr. Tschoffen, the Committee sat during the week 2-6 May 1927, considered about 180 reports received by the Office, and approved the report submitted by its reporter, Mr. Jules Gautier.

The report of the Committee was submitted to the Governing Body of the International Labour Office at its Session on 24 May. It was thereafter submitted to the Tenth Session of the International Labour Conference as an annex to Part II of the Director's Report.

Generally speaking, the Committee noted that, with the exception of certain cases on which observations are contained in the report, the enforcement of International Labour Conventions was proceeding generally in a satisfactory manner.

# MONTHLY SUMMARY

OF THE

## INTERNATIONAL LABOUR ORGANISATION

No. 9.

September 1927.

*This Summary is published on the responsibility of the International Labour Office, to which all observations or requests for information as to its contents should be addressed. It is published for general information, and is not an official record.*

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### THE RATIFICATION OF DRAFT CONVENTIONS

On August 31 the total number of ratifications of Draft Conventions registered with the Secretary-General of the League of Nations was 230.

At the same date, the number of Draft Conventions of which ratification had been authorised by the competent authority, in the country concerned, but had not yet been registered with the Secretary-General of the League, was 36.

The most important information with regard to ratifications that has come to the attention of the Office during the month of August relates to legislation in the Netherlands. Three Acts, dated 30 July 1927, approved the ratification of the Draft Conventions concerning workmen's compensation for accidents, equality of treatment for national and foreign workers as regards workmen's compensation for accidents, and the simplification of the inspection of emigrants on board ship. Another Act promulgated on 2 July 1927 reserved to the Crown the right to ratify the Draft Convention concerning workmen's compensation for occupational diseases.

### MINIMUM WAGE-FIXING MACHINERY

The International Labour Office has sent to all the Governments of the States Members of the Organisation a questionnaire with regard to minimum wage-fixing machinery.

It will be remembered that this question was discussed for the first time at the Tenth Session of the International Labour Conference, held in Geneva in May and June of this year. By a large majority, the Conference decided to place on the Agenda of the 1928 Session the question of minimum wage-fixing machinery, and adopted the questionnaire which the International Labour Office has just sent to the Governments. This questionnaire will enable them to communicate their attitude with a view to discussion at the next Session.

The booklet issued by the Office contains, in addition to the Questionnaire, the Report of the Committee which submitted the Questionnaire to the Conference, a short summary of the discussions which took place on the Report in the Conference, and some short indications on the scope of the question.

The Office has also published in its series of *Studies and Reports*, under the title of 'Minimum Wage-Fixing Machinery', a comparative study of the legislation and practice existing in different countries. The study was originally prepared for the purpose of the initial discussion of the question at the last Session of the Conference. It was necessarily confined to those aspects of the problem which the Conference was called upon to consider — 'Minimum wage-fixing machinery in trades in which organisation of employers and workers is defective and where wages are



exceptionally low, with special reference to the homeworking trades". It consequently ignored certain questions which would appear in a general report on minimum wage legislation. In spite of this, however, the study has been deemed to be of sufficient importance to justify its inclusion in the series of *Studies and Reports*.

## THE INTERNATIONAL LABOUR ORGANISATION AND ECONOMIC PROBLEMS

The September number of the *International Labour Review* contains an analysis of the resolutions adopted by the International Economic Conference from the point of view of the International Labour Organisation.

The world of labour has long realised the close interdependence of economic and social problems. At the Washington Conference in 1919 the workers' group raised the question of the international distribution of raw materials; in 1920 the Governing Body of the Office decided to undertake an international enquiry into production; in 1921 and 1922 the International Labour Conference discussed unemployment and the work of the Genoa Economic Conference; more recently, it will be remembered, the International Labour Office took a direct and active part in the work of the Preparatory Committee for the Conference. These few instances show the sustained interest which the Organisation takes in important economic problems, the solution of which may undoubtedly contribute to that of social problems. This inter-connection was emphasised by speakers representing all groups at the last Session of the International Labour Conference, which immediately followed the International Economic Conference. There was general agreement on the one hand that there could be no solid economic reconstruction except on a basis of social justice, and on the other hand that there could be no solid social reconstruction except on the basis of economic justice.

The close relation between the two groups of problems is brought out by the analysis of the work of the recent Economic Conference. The resolutions which it adopted lay the foundation for the co-operation of the International Labour Office in the international economic activities initiated by the Conference.

## THE INTERNATIONAL LABOUR OFFICE AS A WORLD CENTRE OF INFORMATION

The scientific work of the International Labour Office is now universally known and esteemed. At each Conference delegates of the countries represented are unanimous in proclaiming its value, and the States which are not members of the Organisation also recognise the soundness, the objectivity, and the interest of the information in the possession of the Office. The importance of the Office as a centre of information is increasing from year to year.

The requests received at Geneva in 1926 may be subdivided according to countries as follows (the figures for the preceding year are indicated in brackets): Great Britain 137 (120), Germany 114 (94), Switzerland 112 (68), France 92 (78), United States 43 (41), Belgium 40 (25), Italy 37 (33), Czechoslovakia 32 (25), Poland 21 (25), Netherlands 17 (16), Austria 17 (17), Australia 14 (8), Sweden 13 (11), Luxembourg 12 (8), India 10 (4), Roumania 9 (11), Japan 8 (7), Russia and Ukraine 6 (3), Spain 6 (7), Norway 5 (5), Saar Territory 4 (2), Canada 4 (7), Argentina 3 (4), Chile 3 (1), China 3 (0), Finland 3 (1), Greece 3 (4), Hungary 3 (4), Ireland 3 (8), Serb-Croat-Slovene Kingdom 3 (3), Palestine 2 (1), Turkey 2 (0), Denmark 2 (6), Lithuania 2 (0), Latvia 2 (4), South Africa 1 (3), Brazil 1 (1), Bulgaria 1 (0), Egypt 1 (2), Estonia 1 (0), New Zealand 1 (2), Persia 1 (0).

In addition 18 requests were received from international workers' organisations.

Certain countries which are not members of the International Labour Organisation have applied to the Office for assistance more frequently than in the past. The number of requests received from the United States of America, though only slightly higher for 1926 than for 1925, were nearly double that for 1924.

The requests for information received in 1926 may be further subdivided according to their sources as follows :

Governments . . . . .	136
Employers' organisations . . . . .	42
Workers' organisations . . . . .	125
Co-operative organisations . . . . .	25
Associations of disabled men. . . . .	16
Various bodies and individuals. . . . .	468

Figures classified according to subject are given below :

	1926	1925	1924
Social insurance and industrial disabled. . . . .	69	74	42
Conditions of work . . . . .	68	65	82
Industrial hygiene and safety. . . . .	68	60	13
Activity and working of the International Labour Organisation. . . . .	55	23	22
Hours of work . . . . .	38	21	"
Co-operative questions. . . . .	36	15	14
Apprenticeship, vocational guidance, and education. . . . .	36	34	19
Labour legislation. . . . .	35	21	14
Migration. . . . .	35	21	13
Wages . . . . .	34	48	16
Employers' and workers' organisations, freedom of association, industrial disputes . . . . .	34	30	17
Unemployment . . . . .	25	29	13
Production and general economic situation . . . . .	23	"	"
Protection of maternity, employment of women and children. . . . .	23	28	11
Cost of living . . . . .	20	8	3
Agricultural questions . . . . .	20	19	8
Scientific management. . . . .	16	2	"
Ratifications, interpretation of Conventions. . . . .	15	25	"
Collective agreements . . . . .	13	18	3
Native labour. . . . .	12	"	"
Weekly rest and holidays with pay . . . . .	11	21	3
Workers' dwellings . . . . .	11	19	7
Arbitration and conciliation . . . . .	9	11	12
Family allowances. . . . .	7	5	"
Placing of refugees . . . . .	7	12	"
Profit-sharing. . . . .	6	14	10
Works councils . . . . .	4	"	"
Out-workers . . . . .	4	3	2
Protection of labour. . . . .	4	5	2
Welfare . . . . .	4	"	"
Maritime questions . . . . .	3	"	"
Utilisation of workers' spare time. . . . .	3	9	0
Alcoholism . . . . .	2	"	"
Night work in bakeries. . . . .	2	5	5
Organisation of labour ministries. . . . .	2	2	"
Miscellaneous subjects on each of which a single enquiry was received . . . . .	58	58	62

The figure given in the above table for the number of requests for information concerning hours of work includes only those dealing with that subject exclusively. If, however, account is taken of the fact that in every case where information is asked for in regard to conditions of work as a whole in a particular industry the question of hours of work is necessarily included, it may be asserted that the greatest number of requests have concerned this subject, either separately or in conjunction with others, and that it therefore continues to be the one which most keenly interests the Office's correspondents. Similarly, requests for information concerning wages rank as the next most numerous.

The majority of the enquiries undertaken in 1926 at the request of Governments dealt, firstly, with conditions of labour including hours of work (23), secondly, questions of health and industrial safety (21), and, thirdly, social insurance (14).

The requests emanating from employers' organisations concern, firstly, wages (9), and, secondly, scientific management (7) and conditions of labour (7).

Information has been asked for by workers' organisations, firstly, in regard to general labour conditions (18), secondly, social insurance (11), thirdly, labour legislation (9), fourthly, trade union questions (8), fifthly, industrial hygiene (7). Weekly rest and holidays with pay come next in numerical order.

If the scope and importance of the work represented by these figures is to be realised, it must be remembered that in most cases what is wanted is an account of the position as regards a particular question in all countries or in a certain number of countries. This applies especially to requests from Governments which are contemplating new labour legislation.

When Governments request information, they frequently state that the particulars are required with a view to the preparation of new national laws or administrative measures. In such cases, the Office enables Governments to avoid undertaking special research, and contributes directly to the development of industrial and labour legislation.

### SOME RECENT PUBLICATIONS OF THE INTERNATIONAL LABOUR OFFICE

In addition to its periodical publications, which include, among others, the *International Labour Review*, the *Industrial and Labour Information*, the *Official Bulletin*, the *Monthly Record of Migration*, and the *Industrial Safety Survey*, the International Labour Office has recently published a number of important studies and reports. Special mention may be made of the following :

#### "INDUSTRIAL RELATIONS IN THE UNITED STATES"

Under the above title, the Office has just published a report embodying the results of an investigation conducted by Mr. H. B. Butler, C.B., Deputy Director of the Office, in the United States on the subject of industrial relations.

In view of the remarkable prosperity of the United States since the war, a great deal of curiosity has been aroused in other countries as to the industrial conditions which produced it. In particular, attempts at co-operation between employers and employed have evoked widespread interest.

The report deals with this question in all its aspects. It explains why American conditions differ from those of other countries; it examines critically the economic condition of the working classes, analyses the aims of the American trade unions and the policies of American employers, and describes the various experiments which have been attempted for creating better relations between employers and workpeople by means of works councils, stock holding, life insurance and systematic co-operation with the trade unions.

In conclusion, some suggestions are made as to the lessons which may be derived by other countries from the American experience.

#### "THE MEDICAL INSPECTION OF LABOUR"

Under the above title <sup>(1)</sup> the Office has published a volume of some 80 pages containing a report of the meeting of Medical Inspectors of Factories in various countries held in Düsseldorf on 15 and 16 September 1926.

The meeting, in may be remembered, was called by Dr. Teleky, Prussian Medical Inspector of Labour, on behalf of the German Association of Medical Inspectors of Labour. It resulted in the presentation of a series of communications on the organisation and activities of industrial medical services in different countries, and gave an opportunity for a valuable exchange of experiences and ideas.

The volume now published comprises a report of the proceedings compiled by Dr. Teleky, this report being a fairly complete summary of the papers read and the addresses given to the conference. It includes also a declaration, adopted unanimously by the meeting, of the principles which should govern the organisation of medical factory inspection in all countries.

#### "MIGRATION MOVEMENTS, 1920-1924"

This report is in continuation of that published by the International Labour Office in 1925 on migration movements from 1920 to 1923, as the outcome of the Recommendation concerning the collection of information on migration questions adopted by the International Labour Conference in 1922. Every endeavour has been made to complete and improve the statistical tables, the number of States for which information is given having risen from 60 to 74. It may be of interest to mention that the number of individuals covered by the migration statistics utilised for the purpose of this study, for the five-year period 1920 to 1924, is 10,040,475.

(1) *Studies and Reports, Series F (Industrial Hygiene), No. 10. Price: 1s. 6d.; 40 cents.*

# MONTHLY SUMMARY

OF THE

## INTERNATIONAL LABOUR ORGANISATION

No. 12.

December 1927.

*This Summary is published on the responsibility of the International Labour Office, to which all observations or requests for information as to its contents should be addressed. It is published for general information, and is not an official record.*

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### THE ELEVENTH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

The Governing Body, at its Berlin Session (October 1927), fixed 30 May 1928 as the date of the opening of the Eleventh Session of the International Labour Conference, which will be held, as in previous years, at Geneva.

The Agenda of this Session of the Conference will consist of the two following items :

- I. *Minimum wage-fixing machinery* (final discussion);
- II. *Prevention of industrial accidents, including accidents due to coupling on railways* (first discussion).

The question of *minimum wage-fixing machinery* passed through the first stage of the double-discussion procedure at the Tenth Session of the Conference. This Session, in accordance with paragraph 5 of Article 6 of the Standing Orders of the Conference, adopted a Questionnaire on the subject for communication to the Governments, and decided to place the question on the Agenda of the 1928 Session for completion of the second stage of the procedure, i.e. for a final discussion and decision by way of a Draft Convention or Recommendation.

The question of the *prevention of industrial accidents*, on the other hand, appears on the Agenda of the Conference for the first time, and will therefore be the subject of a first discussion.

#### PREPARATION OF THE AGENDA

For facilitating the discussion of the Conference on the two items on its Agenda, the International Labour Office is required under Article 6 of the Standing Orders of the Conference to carry out certain preparatory work.

As regards the first item of the Agenda the Office duly submitted to Governments the Questionnaire on minimum wage-fixing machinery adopted by the Tenth Session of the Conference. The object of the Questionnaire is, in the usual way, to elicit the views of the Governments as to the different points on which the Conference in 1928 should adopt final decisions and as to the form (Draft Convention or Recommendation) which those decisions should take. On the basis of the replies received from the Governments the Office will proceed to draw up the usual Blue

Report, which will contain advance proposals for a Draft Convention or Recommendation which may serve as a basis for discussion at the Conference.

On the second item on the Agenda, the Office has prepared for communication to the Governments a preliminary Report (Grey Report) setting out the law and practice on the subject of accident prevention in the different countries and containing draft Questionnaires which may serve as a possible basis for discussion at the Conference. Before it was put into final form, however, the Office, in view of the specially technical nature of the subject, consulted the Safety Sub-Committee of its Correspondence Committee on Industrial Hygiene and Safety on the points which might be dealt with in the draft Questionnaires.

### ELECTION OF THE GOVERNING BODY

Besides dealing with the two items on its Agenda, the 1928 Session of the Conference will have to proceed to the election of the Governing Body in accordance with the procedure laid down in Article 20 of the Standing Orders. The last election took place at the Seventh Session of the Conference in 1925.

In this connection reference may be made to the amendment to Article 393 of the Treaty, which was adopted at the Fourth Session of the Conference and which provides for an increase in the number of members of the Governing Body. Now, as was pointed out in the Director's Report to this year's Session, a considerable number of ratifications is still required under Article 422 of the Treaty to bring the amendment into operation for the elections of 1928. It is therefore important that those Members which have not yet deposited their ratifications, and which desire that the amendment should be in force in 1928 and that its operation should not be postponed to the following elections in 1931, should communicate their ratifications to the Secretary-General of the League of Nations as early as possible and in any case before the opening of the Conference in 1928.

### THE RATIFICATION OF DRAFT CONVENTIONS

On 30 November the total number of ratifications of Draft Conventions registered with the Secretary-General of the League of Nations was 248.

At the same date, the number of Draft Conventions of which ratification had been authorised by the competent authority in the country concerned, but had not yet been registered with the Secretary-General of the League, was 29.

Four new ratifications have been registered during the month of November: the Convention concerning workmen's compensation for occupational diseases has been ratified by India, the Irish Free State, and Switzerland; the Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents has been ratified by India.

### SUB-COMMITTEE ON INDUSTRIAL SAFETY

The International Labour Office has completed, as stated above, the preparation of the Report intended to serve as a basis for the discussions of the next International Labour Conference on the question of the prevention of accidents. Before establishing the final text of its Report, the Office submitted it to the experts of the Safety Sub-Committee of the Correspondence Committee on Industrial Hygiene.

The Sub-Committee was established in accordance with a decision taken by the Governing Body of the Office in January 1925. It is composed of experts on industrial safety, in particular factory inspectors, directors of accident insurance

bodies, and directors of employers' associations for accident prevention. It met at Geneva from 3 to 5 November 1927.

In welcoming the members of the Committee, Mr. Albert Thomas, Director of the International Labour Office, referred to the conditions under which they were invited to express their opinion on the preliminary draft Report prepared by the Office on the question of accident prevention. He emphasised the great importance of this problem, the solution of which called for loyal efforts on the part of all persons interested in human solidarity and the protection of the workers. "The massacre of human life on the field of labour", Mr. Albert Thomas concluded, "is no less cruel than massacre in time of war. The League of Nations is engaged in the maintenance of peace in order to prevent the hecatombs of battle. It is our duty to work with all our might and with all our intelligence to secure the realisation of peace and happiness in the field of labour".

Sir Gerald Bellhouse was unanimously elected Chairman. The preliminary draft Report prepared by the Office on the problem of accident prevention as a whole was generally approved by the Sub-Committee, which, however, asked that certain modifications and additions should be made in the final text. In particular, the historical introduction will be preceded by a preface indicating briefly the importance of the problem of accident prevention.

Sir Gerald Bellhouse submitted a definite programme for the national and international organisation of accident prevention. He pointed out the importance of giving attention not only to the technical but to the psychological aspects of the problem, and stressed the necessity of co-operation between the parties concerned. The Sub-Committee expressed approval of this programme and suggested that the conclusion of the Report should lay greater emphasis on the importance of adequate national legislation and of an inspectorate well fitted for its work.

The Sub-Committee recognised the necessity and the desirability of an international Convention concerning the protection of workers employed in the loading and unloading of ships. The Committee was of opinion that this matter was sufficiently ripe from the technical standpoint for submission to the next International Labour Conference.

The Sub-Committee expressed the same opinion with regard to another question closely connected with the previous one, the indication of weight on heavy packages carried by water transport.

The Sub-Committee did not examine the question of weights to be carried by the workers. This question, undoubtedly important, is connected with problems of industrial hygiene and will form the Subject of an early Report of the Industrial Hygiene Service of the International Labour Office.

With regard to the question of automatic couplings on railways, the introduction of which has been demanded by workers for some time, the Sub-Committee declared unanimously that it did not possess the special competence necessary to make a pronouncement on the technical aspect of the problem.

At the Session which it held in May 1925, the Sub-Committee had decided to request some of its members to prepare monographs on certain important problems in the field of accident prevention. Two draft monographs were submitted to it in accordance with this decision, one on "Chains", by Mr. Deladrière, Director of the Belgian Industrial Association for the Prevention of Accidents, the other, on "Hydro-Extractors", by Mr. Massarelli, Director of the Italian Association of Manufacturers for the Prevention of Accidents. The Sub-Committee expressed its satisfaction with these two interesting reports.

Finally, the Sub-Committee considered how the Office could give information with regard to new inventions in the field of safety without appearing to advertise particular devices or manufacturers. The Sub-Committee was of opinion that if, in principle, it was desirable not to name in the publications of the Office the manufacturers of safety appliances, the Office should not consider itself under an

obligation not to designate by their name the protective devices which it considered it useful to describe.

With regard to the programme of its future work, the Sub-Committee considered that it would be good to complete the report on "Chains" by monograph on "Hooks and Rings" and on "Cables". It recommended also that a study should be undertaken of accidents due to non-insulated electric circuits. Messrs. Deladrière and Massarelli respectively stated their willingness to undertake to prepare monographs on these subjects.

### THE DEPUTY-DIRECTOR'S VISIT TO SOUTH AFRICA

In response to an invitation from the Government of South Africa, Mr. H. B. Butler, C.B., Deputy Director of the International Labour Office, is at present visiting the four provinces of the Union. He is discussing with the authorities the ratification of the Conventions adopted by the International Labour Conference, and is having interviews with representatives of workers' and employers' organisations.

The primary object of Mr. Butler's visit is to disseminate in the Union more precise information as to the International Labour Organisation, the principles on which it is based, and the activities in which it engages.

### THE THIRTY-SEVENTH SESSION OF THE GOVERNING BODY

#### ERRATUM

In the account of the thirty-seventh Session of the Governing Body held in Berlin, October 1927, which appeared in the *Monthly Summary* of November (No. 11), the passage relating to the appointment of workers' representatives on the Advisory Economic Committee of the League of Nations, should read as follows :

The Assembly of the League of Nations had invited the International Labour Office to propose, in view of the constitution of the Advisory Economic Committee, the names of three workers' members. The Governing Body took note of the fact that the Workers' Group had nominated for this purpose Mr. Müller (Germany), Mr. Jouhaux (France), and Mr. Oudegeest (Netherlands).

#### ERRATA

In the *Monthly Summary*, No., 7 (July 1927),

5th line from the bottom of p. 38, read *101 votes to 0* ;

4th line from bottom, *sickness* insurance instead of *social* insurance.

*Monthly Summary*, No. 10 (October 1927),

last paragraph but one of p. 49, last line, to the list of countries add the *Netherlands*.